



**PLANNING COMMISSION & BOARD OF ZONING ADJUSTMENT
AGENDA
ROSE ROOM
CREEKMORE PARK COMMUNITY CENTER
5:30 P.M.
MAY 9, 2017**

I. ROLL CALL

II. APPROVAL OF MINUTES FROM MARCH 14, 2017

III. STAFF COMMENTS AND PROCEDURES

1. Preliminary Plat – Meadowlark Estates – Lots 1 thru 36 & Tract A – Sivell Engineering Services, Inc.
2. Rezoning #7-5-17; A request by Ron Brixey, agent for Blake Properties, LLC, for a zone change from Not Zoned (NZ) to Industrial Light (I-1) by Extension located at 8300 Chad Colley Boulevard. (companion item to items #3 & #4)
3. A request by Ron Brixey, agent for Blake Properties, LLC, for development plan approval for an office building located at 8300 Chad Colley Boulevard (companion item to items #2 & #4)

**RECESS PLANNING COMMISSION
CONVENE BOARD OF ZONING ADJUSTMENT**

4. Variance #15-5-17; A request by Ron Brixey, agent for Blake Properties, LLC, for a variance from 300 feet to 185 feet minimum driveway separation on a boulevard located at 8300 Chad Colley Boulevard. (companion item to items #2 & #3)

**RECESS BOARD OF ZONING ADJUSTMENT
RECONVENE PLANNING COMMISSION**

5. Rezoning #8-5-17; A request by Jeff Lee, agent for Robert and Susan Altes, for a zone change from Commercial Heavy (C-5) to a Planned Zoning District (PZD) by Classification located at 9201 Highway 271 South.
6. Preliminary Plat – Stonecrest Addition – McClelland Consulting Engineers, Inc. (companion item to items #7 & #8)

623 GARRISON AVENUE
P.O. BOX 1908
FORT SMITH, ARKANSAS 72902
(479) 784-2216
FAX (479) 784-2462

7. Rezoning #9-5-17; A request by ERC Holdings, agent for Fort Chaffee Redevelopment Authority, for a zone change from Not Zoned (NZ) to Residential Single Family Duplex Medium/High Density (RSD-3) by Classification located at 9101 Custer Boulevard and 8206 Veterans Avenue. (companion item to items #6 & #8)
8. A development plan deferral for a dog park located at 8206 Veterans Avenue. Requested by ERC Holdings. (companion item to items #6 & #7)
9. A request by Al Prieur, agent for Bryan and Sara Goodwin, for a Master Land Use Plan Amendment from Commercial Neighborhood/Residential Attached to Residential Attached located at 3027 South 66th Street. (companion item to items #10, & #11)
10. Rezoning #10-5-17; A request by Al Prieur, agent for Bryan and Sara Goodwin, for a zone change from Transitional (T) & Commercial Heavy (C-5) to Residential Multifamily Medium Density (RM-3) by Extension located at 3027 South 66th Street. (companion item to items #9, & #11)
11. A request by Al Prieur, agent for Bryan and Sara Goodwin, for development plan deferral for a multifamily project located at 3027 South 66th Street. (companion item to items #9, & #10)
12. Conditional Use #9-5-17; A request by Ron Brixey, agent for Kimberly & Tony Nguyen, Henry Du and Thao Luu, for a conditional use for a church (religious statutes, a privacy fence and wrought iron gate located at 5201 Virginia Avenue.

RECESS PLANNING COMMISSION

RECONVENE BOARD OF ZONING ADJUSTMENT

13. Variance #14-5-17; A request by Jeff Lee, agent for Joseph Sprague, for a variance from the UDO Commercial Building Standards, Section 27-602-4(C)(2) regarding the requirement to utilize 51% high quality materials located at 3800 Kelley Highway.

**PLANNING COMMISSION & BOARD OF ZONING ADJUSTMENT
MINUTES
ROSE ROOM
CREEKMORE PARK COMMUNITY CENTER
5:30 P.M.
APRIL 11, 2017**

On roll call, the following Commissioners were present: Bob Cooper, Jr., Rett Howard, Vicki Newton, Don Keesee, Marshall Sharpe, Talicia Richardson and Josh Carson. Commissioner Sarah Howe was absent.

Chairman Sharpe then called for the vote on the minutes from the March 14, 2017, Planning Commission meeting. Motion was made, seconded and carried unanimously to approve the minutes as written.

Mr. Wally Bailey spoke on the procedures.

- 1. A request by Kelly Wilson, agent for William & Stephanie Overton, for development plan approval for a side yard setback from 100 feet to 60 feet for a building addition located at 3600 Utica Street.**

Ms. Maggie Rice read the staff report indicating that the purpose of this request is to allow for the old contractors shop to be demolished and the construction of a new contractors shop. It was noted that the applicant has added some additional landscaping to the west of the property and proposed a 6' wood screening fence on the west property line adjacent to the residential.

Ms. Kelly Wilson was present to speak on behalf of this request.

No one was present to speak in opposition to this request.

Chairman Sharpe then called for the vote on the development plan request. Motion was made, seconded and carried unanimously to amend this request to make approval subject to the following:

- Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.

Chairman Sharpe then called for the vote on the development plan as amended. The vote was 7 in favor and 0 opposed.

- 1. Rezoning #5-4-17; A request by Ron Brixey, agent for Alejandro Fuentes, for a zone change from Not Zoned (NZ) to a Planned Zoning District (PZD) by Classification located at 7301, 7401 and 7501 Massard Road. (companion item to item #3)**
- 2. Variance #11-4-17; A request by Ron Brixey, agent for Alejandro Fuentes, for a variance from 300 feet to 210 feet minimum driveway separation on a boulevard located at 7401 and 7501 Massard Road. (companion item to item #2)**

Ms. Maggie Rice stated that the applicant has requested the above referenced zoning application be tabled for one month to allow the applicant to submit a more detailed development plan. Ms. Rice also noted that the applicant is requesting the withdrawal of the above referenced variance application due to the fact that the site/development plan has been amended so that the driveway separation is no longer needed.

Ron Brixey stated that the applicant wanted to be a good neighbor and tabling the zoning application would allow the applicant to provide a more detailed plan that could address some of the concerns of the surrounding property owners. Mr. Brixey also stated that the proposed driveways had been adjusted to comply with the UDO and a variance was no longer needed.

Mr. A.J. Lee, 8008 Rome Way and Mr. Brad Bolin, 7304 Stonebrook Drive, spoke about concerns regarding traffic that would be generated by the proposed development and the lack of details in the development plan.

- 2. Rezoning #5-4-17; A request by Ron Brixey, agent for Alejandro Fuentes, for a zone change from Not Zoned (NZ) to a Planned Zoning District (PZD) by Classification located at 7301, 7401 and 7501 Massard Road. (companion item to item #3)**

Chairman Sharpe called for the vote on the tabling of this rezoning request. The vote was 7 in favor and 0 opposed.

RECESS PLANNING COMMISSION CONVENE BOARD OF ZONING ADJUSTMENT

- 3. Variance #11-4-17; A request by Ron Brixey, agent for Alejandro Fuentes, for a variance from 300 feet to 210 feet minimum driveway separation on a boulevard located at 7401 and 7501 Massard Road. (companion item to item #2)**

Chairman Sharpe called for the vote on the withdrawal of this variance request. The vote was 7 in favor and 0 opposed to approve the withdrawal of this request.

**RECESS BOARD OF ZONING ADJUSTMENT
RECONVENE PLANNING COMMISSION**

- 4. Rezoning #6-4-17; A request by Josh Karston, agent for 7320 Rogers Avenue, LLC, for a zone change from Transitional (T) to Commercial Heavy (C-5) by Extension located at 7320 Rogers Avenue.**

Ms. Brenda Andrews read the staff report indicating that the purpose of this rezoning request is to eliminate the current split zoning and is being considered a corrective rezoning. Ms. Andrews noted that this rezoning would eliminate several non-conforming uses on the site and better correspond with the surrounding zoning and land uses.

It was noted that a neighborhood meeting was held on April 5, 2017, at 1:00 p.m. at 4611 Rogers Avenue with a representative of one neighboring property owner in attendance who expressed no objection to this rezoning request.

Mr. Josh Karston was present to speak on behalf of this request.

No one was present to speak in opposition to this request.

Chairman Sharpe then called for the vote on the rezoning request. The vote was 5 in favor, 0 opposed and 2 abstentions (Carson, Cooper).

- 5. Home Occupation #1-4-17; A request by Maria Magdalena Posada for a home occupation for a janitorial business located at 709 South 19th Street.**

Ms. Maggie Rice read the staff report indicating that the purpose of this request is to allow the applicant to operate a general cleaning service for homes and businesses.

Ms. Maria Magdalena Posada was present to speak on behalf of this request.

No one was present to speak in opposition to this request.

Following a discussion by the Commission, motion was made, seconded and carried to amend this request to make approval subject to all minimum requirements for Home Occupations (Sec. 27-338-4F) and the statements listed in the home occupation application.

Chairman Sharpe then called for the vote on the home occupation request as amended. The vote was 7 in favor and 0 opposed.

- 6. Conditional Use #6-4-17; A request by Rodney Ghan for a conditional use for a restaurant drive thru located at 1923 Grand Avenue.**

Ms. Brenda Andrews read the staff report indicating that the purpose of this request is to allow the development of a pickup and delivery Pizza Hut with a drive-through window with no indoor dining being anticipated.

It was noted that a neighborhood meeting was held on Wednesday, March 29, 2017 at 4611 Rogers Avenue with four neighboring property owners in attendance who voice no objections to the proposed project.

Mr. Rodney Ghan was present to speak on behalf of this request.

No one was present to speak in opposition to this request.

Following a discussion by the Commission, motion was made, seconded and carried to amend this request to make approval subject to the following:

- Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
- The proposed development shows paving and using the existing alley as ingress and egress. The alley has existing overhead power lines, poles, gas lines, meters, sanitary sewer lines and is used as an existing utility easement. It will be the developer's responsibility to contact the coordinate with all utility companies their intentions to use the alley.
- The owner shall provide a document for staff review and approval acknowledging that the City of Fort Smith will not be responsible for maintaining the alley the owner is proposing to utilize.
- The conditional use application does not include all information required for final permit approval. Final construction plans must be submitted for review and approval prior to a building permit being issued and must comply with all development and construction codes.

Chairman Sharpe then called for the vote on the conditional use request as amended. The vote was 6 in favor, 0 opposed and 1 abstention (Cooper).

- 7. Conditional Use #7-4-17; A request by Dean Pendergrass, agent for Clovis Breeden, for a conditional use for an auto and paint shop (new parts) located at 6006 Highway 71 South.**

Ms. Brenda Andrews read the staff report indicating that the purpose of this request is to allow Breeden Dodge to relocate their existing body shop from their dealership contiguous to this site.

It was noted that a neighborhood meeting was held on Thursday, March 23, 2017, at 5900 US Highway 71 with no neighboring property owners in attendance.

Mr. Dean Pendergrass was present to speak on behalf of this request.

No one was present to speak in opposition to this request.

Chairman Sharpe then called for the vote on this conditional use request. Motion was made seconded and carried unanimously to amend this request to make approval subject to the following:

- Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
- All proposed signs will require a separate plan and sign permit application for staff review and approval.
- If a trash receptacle is proposed, it shall be screened with an opaque fence from adjoining properties and street right-of-way.
- Site lighting shall not produce glare, light trespass and/or unnecessary sky glow in accordance with the UDO Section 27-602-5 – Commercial and Outdoor Lighting requirements.
- Vehicle auto body and paint activities shall be conducted within an enclosed building.
- All appurtenances used for auto body and paint activities shall not be utilized outdoors.
- Abandoned vehicles shall not be stored on the premises.
- Vehicles that are wrecked or that have missing or damaged parts shall not be stored outside unless completely screened from public rights-of-ways and adjacent properties.

- A 6' opaque fence shall be installed on the west property line between Lot 2 and Lot 3, along the property line adjacent to Ingersoll Circle between Lot 1 and 3 and between Lots 1 and 2 on the south side.

Chairman Sharpe then called for the vote on the conditional use request as amended. The vote was 4 in favor and 3 opposed (Keese, Cooper, Carson)

- 8. Conditional Use #8-4-17; A request by J. T. Griffith, agent for Wheeler Avenue Church of Christ, for a conditional use for a church (fellowship hall) located at 5724 Wheeler Avenue. (companion item to item #9)**
- 9. Variance #9-4-17; A request by J. T. Griffith, agent for Wheeler Avenue Church of Christ, for a variance from Section 27-602-4C-8 requirement for a permanent opaque 6' screen fence or landscape buffer adjacent to residential properties located at 5724 Wheeler Avenue. (companion item to item #8)**

Ms. Brenda Andrews read the staff reports indicating that the purpose of these requests is to allow the development of an 1,800 square foot fellowship hall. It was also noted that the development plan will incorporate landscaping and other aesthetic features such as high quality materials that comply with the UDO. It was stated that approval of the variance request would allow the development of a fellowship hall south of the main church building without installing a privacy fence to the north side of the property.

It was noted that a neighborhood meeting was held on Tuesday, March 28, 2017, at 10:00 a.m. with no neighboring property owners in attendance.

Mr. J. T. Griffith was present to speak on behalf of these requests.

No one was present to speak in opposition to these requests.

Mr. Ron Moore spoke in favor of not requiring the privacy fence.

Chairman Sharpe then called for the vote on these requests.

- 8. Conditional Use #8-4-17; A request by J. T. Griffith, agent for Wheeler Avenue Church of Christ, for a conditional use for a church (fellowship hall) located at 5724 Wheeler Avenue. (companion item to item #9)**

Motion was made, seconded and carried unanimously to amend this request to make approval subject to the following:

- Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those

described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.

- A final landscape plan shall be submitted during the building permit review process.
- If a trash receptacle is proposed, it shall be completely screened from adjoining property owners and street right-of-way.
- All proposed signs will require separate plan and sign permit application for staff review and approval.

Chairman Sharpe then called for the vote on the conditional use request as amended. The vote was 7 in favor and 0 opposed.

RECESS PLANNING COMMISSION RECONVENE BOARD OF ZONING ADJUSTMENT

- 9. Variance #9-4-17; A request by J. T. Griffith, agent for Wheeler Avenue Church of Christ, for a variance from Section 27-602-4C-8 requirement for a permanent opaque 6' screen fence or landscape buffer adjacent to residential properties located at 5724 Wheeler Avenue. (companion item to item #8)**

Chairman Sharpe called for the vote on the variance request. The vote was 7 in favor and 0 opposed.

- 10. Variance #10-4-17; A request by Elizabeth Smith for a variance from 20 feet to 0 feet exterior side yard setback located at 1518 South 11th Street.**

Ms. Maggie Rice read the staff report indicating that the purpose of the variance request is to allow the applicant to install a new carport in the same location as the existing carport.

It was noted that a neighborhood meeting was held on Friday, March 24, 2017, at 10:00 a.m. with no neighboring property owners in attendance.

Ms. Elizabeth Smith was present to speak on behalf of this request.

No one was present to speak in opposition to this request.

Chairman Sharpe then called for the vote on the variance request. The vote was 7 in favor and 0 opposed.

11. Variance #12-4-17; A request by Industrial Service Company, agent for Mars Petcare U.S., Inc. for a variance from 100 feet to 36 feet exterior side yard setback located at 10000 Roberts Boulevard.

Mr. Wally Bailey read the staff report indicating that the purpose of this variance request is to allow for the facility to construct a new equipment room and equalization tank for the processes involved with the manufacturing plant.

No one was present to speak in opposition to this request.

Following a discussion by the Commission, Chairman Sharpe then called for the vote on the variance request. The vote was 7 in favor and 0 opposed.

Meeting Adjourned!

Memo

To: City Planning Commission

From: Planning Staff

Date: May 5, 2017

Re: Preliminary plat – Meadowlark Estates, Lots 1-36 and Tract A – Preliminary Plat – Sivell Engineering Services, Inc.

Approval of the proposed preliminary plat will facilitate the development of single-family residential subdivision.

EXISTING ZONING

The existing zoning district is Residential Single Family High Density (RS-4). The RS-4 zoning district provides for very dense single family detached housing as either new or infill development.

PROPOSED LAND USES

The subdivision will consist of all single family homes. Tract A is an existing gas tank.

PROPOSED LOT SIZE

The proposed lots are approximately 6,667 s.f., which exceeds the minimum lot size of 5,000 s.f. required by the existing RS-4 zoning district.

PROPOSED SITE FEATURES

Landscaping – a 10' perimeter landscaping area is proposed adjacent to the public right-of-way as required by the Unified Development Ordinance.

Sidewalks – 5' wide sidewalks are proposed on one side of the internal street as required by the Unified Development Ordinance.

STAFF COMMENTS

- 1) The developer must agree to meet all franchise and City utility easement requirements.
- 2) The preliminary and final plat must comply with the city's Subdivision Design and Improvement Standards Specifications for Public Works Construction.
- 3) All proposed signage will require submittal of a sign permit application for review and approval by city staff.
- 4) All proposed signage, walls, columns, etc, must be on private property and not within easements and the public right-of-way.

1A

Texas Road

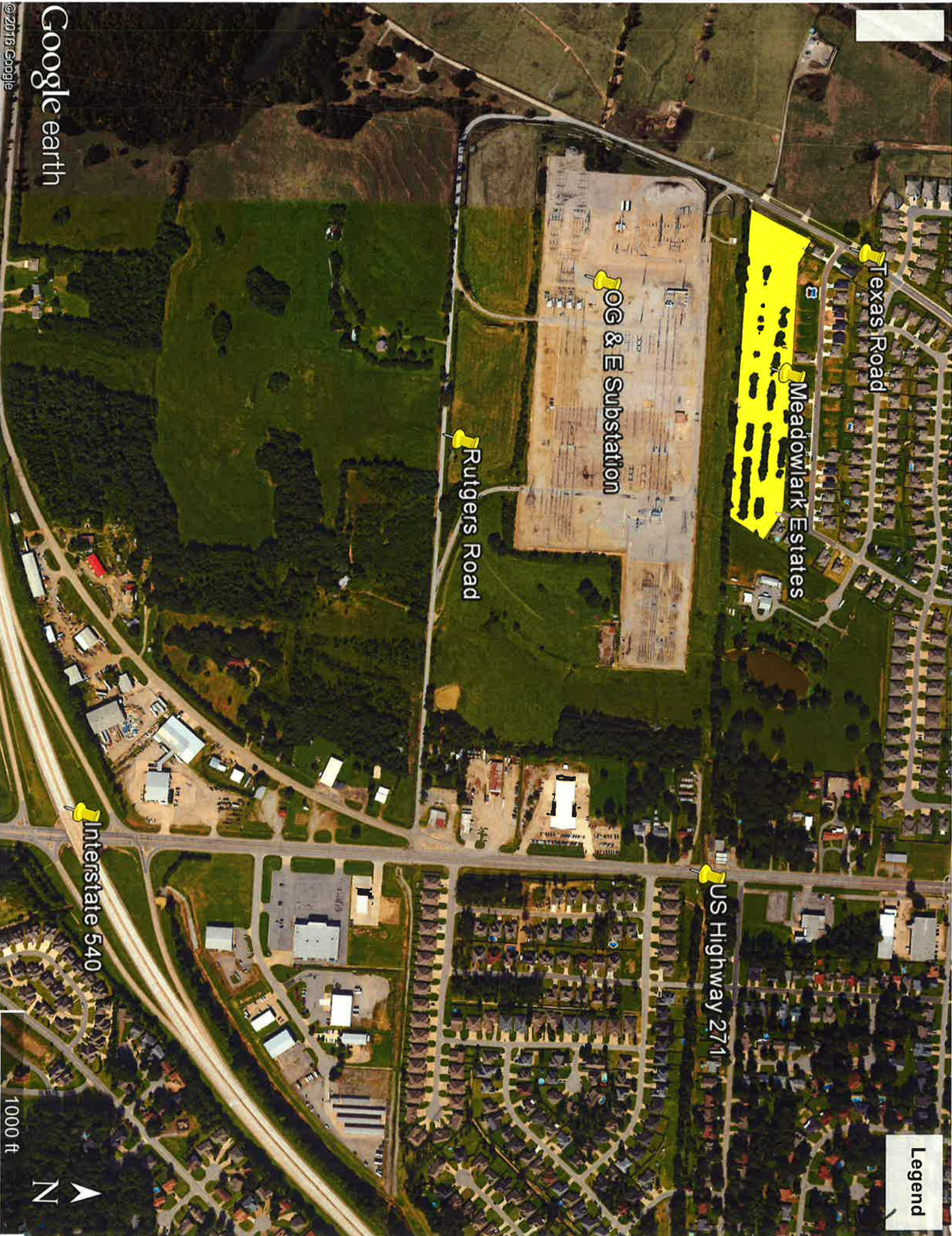
Meadowlark Estates

US Highway 271

IOG & E Substation

Rutgers Road

Interstate 540



Memo

To: City Planning Commission

From: Planning Staff

Date: April 24, 2017

Re: Rezoning #7-5-17 - A request by Ron Brixey, agent for Blake Properties, LLC, for Planning Commission consideration of a zone change from Not Zoned (NZ) to Industrial Light (I-1) by extension at 8300 Chad Colley Blvd.

PROPOSED ZONING

The zoning, development plan, and variance will allow for the construction of a 2,482 s.f. office building with 12 parking spaces. The development will have landscaping compatible with the Chaffee Crossing Design guidelines for perimeter and interior landscaping along with parking lot screening.

LOT LOCATION AND SIZE

The subject property is on the west side of Chad Colley Blvd, north side of Custer Blvd. and east side of Veterans Avenue containing street frontage along each street. The tract contains an area of 4.22 acres with approximately 617 feet of street frontage along Chad Colley Blvd. 477 feet of street frontage along Veterans Avenue, and 300 feet of street frontage along Custer Blvd.

REQUESTED ZONING

The proposed zoning on this tract is Industrial Light (I-1).
Characteristics of this zone are as follows:

Purpose:

To provide for a mixture of light manufacturing, office park, research and development, and limited retail/service retail land uses in an attractive, business park setting. The Industrial Light district may be used as a zoning buffer between mixed uses, commercial uses and heavier industrial uses. The I-1 zoning district is appropriate in the Office, Research, and Light Industrial (ORLI) and Industry classifications of the Master Land Use Plan.

Permitted Uses:

Auto and boat related businesses, a wide variety of retail businesses, indoor flea market, pawnshop, financial services, offices, bar or tavern, restaurant, animal and pet services, manufacturing and commercial communication towers are examples of permitted uses.

Conditional Uses:

Homeless shelter, truck stop, outdoor flea market, beer garden, restaurant with outdoor dining, pet cemetery, animal food processing, petroleum distribution facility, bus station, recycling center, sports complex, educational facilities and police station are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 20,000 square feet

Maximum Height - 45 feet (1+1)

Maximum Lot Coverage - 75%

Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres

Existing District (By Extension) – 20,000 square feet

Minimum Lot Width – 100 feet

Front Yard Setback - 25 feet

Side Yard on Street Side of Corner Lot - 15 feet

Side Yard Setback – 10 feet

Rear Yard Setback - 10 feet

Side/Rear (adjoining SF Residential District/Development) – 100 feet (may be reduced to 60 feet with Planning Commission approval of screening and/or landscaping through the Development Plan approval process)

Minimum building separation – to be determined by current City building and fire code.

Required street access – Major Arterial or higher

EXISTING ZONING

The property does not have any zoning at this time.

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Industrial Light (I-1-SPL) and is developed as a contractor's shop and storage yard.

The area to the east is zoned Industrial Moderate (I-2) and is developed as a paper processing company.

The area to the south is not zoned and is undeveloped.

The area to the west is being considered by the Planning Commission this month for a zoning of RSD-3 with potential development as single family or duplex buildings.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Chad Colley Blvd as a Boulevard, Custer Blvd. as a Major Arterial and Veterans Avenue as a local road.

MASTER LAND USE PLAN COMPLIANCE

The Chaffee Crossing Future Land Use Plan classifies this site as Mixed Use: Industrial/Office. This classification is intended to guide appropriate development of non-residential uses with a

2B

larger community context, establish strong street presence, and promote parking on the sides and rear of the building.

NEIGHBORHOOD MEETING

A neighborhood meeting was held on April 19th, 2017 at 4:00 P.M. at 8200 Chad Colley Blvd. No neighboring property owners attended the meeting.

STAFF COMMENTS AND RECOMMENDATIONS

The applicant is requesting zoning on the entire tract of property. At this time, they are only developing the area to the north of the drainage easement. Staff recommends approval of the application contingent upon the following comments:

1. Approval of the companion development plan. Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
2. Development plan approval by the Planning Commission is required prior to any additional building permits for any new buildings on this property.

PETITION FOR CHANGE IN ZONING MAP

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830, representing to the Planning Commission as follows:

1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)

Part of the Southwest Quarter (SW/4) of the Northwest Quarter (NW/4) and Part of the Northwest Quarter (NW/4) of the Southwest Quarter (SW/4) of Section 8, Township 7 North, Range 31 West, Sebastian County, Arkansas – Complete description attached.

2. Address of property: 8300 Chad Colley Blvd.
3. The above described property is now zoned: Not Zoned
4. Application is hereby made to change the zoning classification of the above described property to I-1 (Industrial Light) by Extension.
(Extension or classification)

5. Why is the zoning change requested?

Request is made in order to establish a Zone classification to allow development of the property for uses allowed by the I-1 classification

6. Submit any proposed development plans that might help explain the reason for the request.

Signed:

Ron Brixey

Owner or Agent Name
(please print)

Owner

5223 E. Highway 54, Fort Smith AR 72916

Owner or Agent Mailing Address

Ron Brixey or
Agent

479-646-6394

Owner or Agent Phone Number



LEGEND
1" = 100'



PROPERTY LINE
EXISTING WATERLINE
EXISTING SEWER LINE
PROPOSED WATERLINE
PROPOSED SEWER LINE
WATER METER
FIRE HYDRANT
SAN SEWER SERVICE
PROPOSED STREETCURE
BROAD TEL. CABLE
STORM SEWER
STREET LIGHT
BUILDING STRUCTURE LINE
OVERHEAD ELECTRIC
CURB & GUTTER
SEWER
ASPHALT STREET

OWNER
Brixey Properties, LLC
1019 Deerwood Drive
Greenwood, Arkansas 72336
479-461-3985
DEVELOPER
Chaffee Commercial Properties, LLC
2011 South Street
Fort Smith, AR 72309
479-461-3153

PROPERTY ADDRESS: 8300 CHAD COLLEY BOULEVARD
CADDEN DRIVE, UNIT 2000
PROPOSED ZONING: I-1, INDUSTRIAL LIGHT

CONSTRUCTION
The applicant hereby certifies that the information provided in this plan is true and correct to the best of their knowledge and belief, and that they are not aware of any facts or circumstances that would make the information provided in this plan misleading or incomplete.

RASH COLLECTION
ALL WATER AND SEWER SHALL BE COLLECTED AND SENT THROUGH EXISTING OR NEW PIPING SYSTEMS.
EXTENSION LIGHTING
ALL EXTENSION LIGHTING SHALL COMPLY WITH 2008 SECTION 21-202-3.
SCENIC
ALL PROPOSED SIGNS SHALL BE PERMITTED SEPARATELY.

PROPOSED LANDSCAPING/SCENIC
Landscape plan shall comply with the requirements of UDO Section 21-202-3, except that a landscape plan shall be required for all proposed structures, parking areas, and other improvements. The landscape plan shall show the location, type, and quantity of plants and trees to be installed, and shall include a maintenance schedule for the plants and trees.

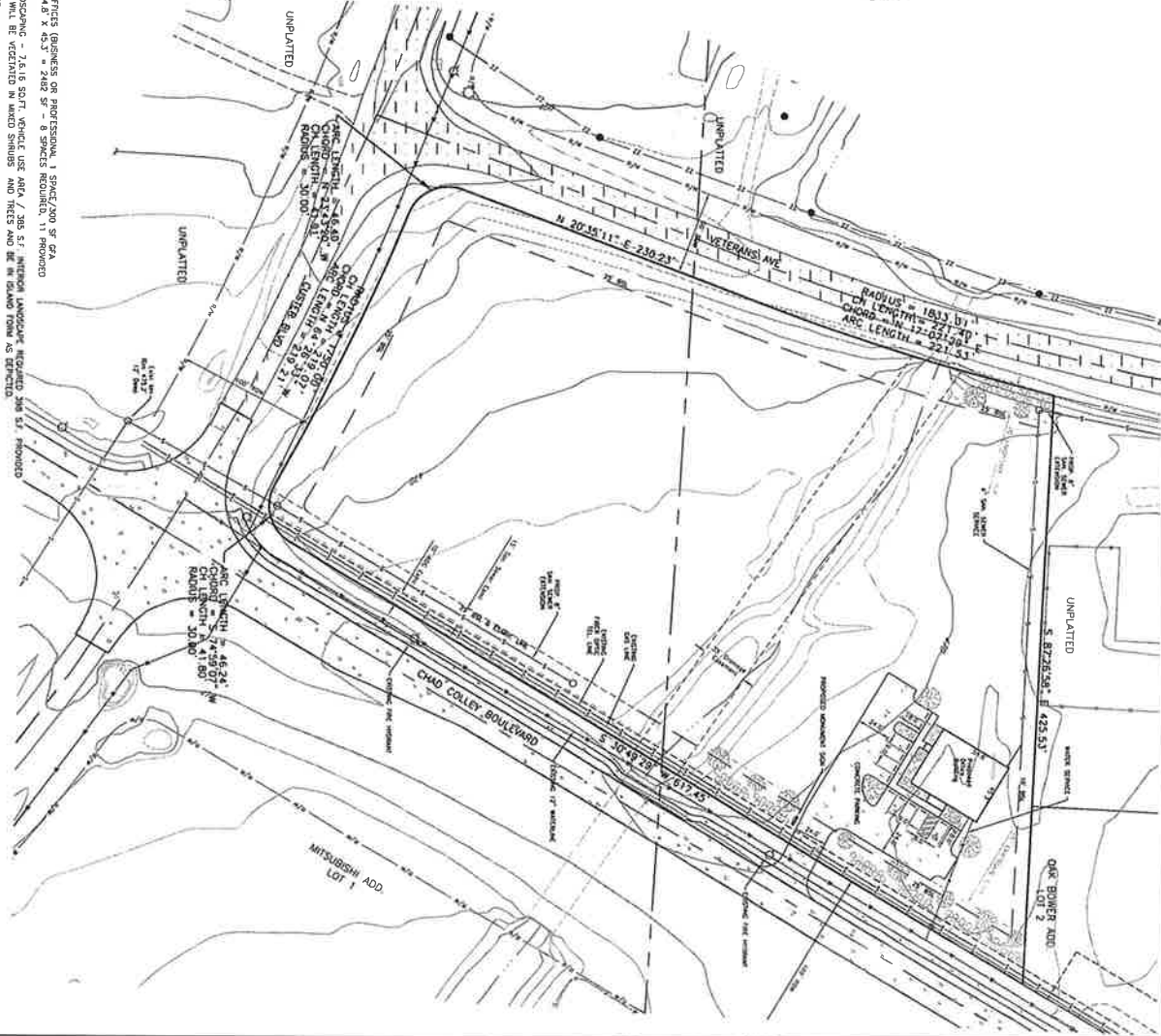
UNDEVELOPED CERTIFICATE

Unsubstantiated Brixey hereby certifies that this plan correctly represents a boundary survey of the subject property. The survey was conducted by Brixey Engineering & Land Surveying, Inc. (Brixey) on or about the date of the survey. The survey was conducted in accordance with the standards and practices of the Surveying and Mapping profession in the State of Arkansas. The survey was conducted using the following methods and equipment: Total Station, GPS, and a surveying party consisting of two licensed surveyors and one assistant. The survey was conducted on the following date: 11/11/2021. The survey was conducted at the following location: 8300 Chad Colley Boulevard, Unit 2000, Fort Smith, Arkansas. The survey was conducted for the purpose of establishing the boundary of the subject property. The survey was conducted in accordance with the standards and practices of the Surveying and Mapping profession in the State of Arkansas. The survey was conducted using the following methods and equipment: Total Station, GPS, and a surveying party consisting of two licensed surveyors and one assistant. The survey was conducted on the following date: 11/11/2021. The survey was conducted at the following location: 8300 Chad Colley Boulevard, Unit 2000, Fort Smith, Arkansas. The survey was conducted for the purpose of establishing the boundary of the subject property.



INTERIOR PARKING - OFFICES (BUSINESS OR PROFESSIONAL), 1 SPACE/200 SF GFA
54.8 X 43.3' = 2482 SF - 8 SPACES REQUIRED, 11 PROVIDED
INTERIOR PARKING LANDSCAPING - 7.5 IS 50 FT. VEHICLE USE AREA / 385 S.F. INTERIOR LANDSCAPE REQUIRED 385 S.F. PROVIDED
LANDSCAPE MAINTENANCE - ALL LANDSCAPED AREAS WILL BE MAINTAINED

PLANNING FOR LANDSCAPING/SCENIC SHALL COMPLY WITH THE REQUIREMENTS OF THE ARKANSAS LANDSCAPE ACT, AS AMENDED, AND THE ARKANSAS LANDSCAPE REGULATIONS, AS AMENDED. THE LANDSCAPE PLAN SHALL SHOW THE LOCATION, TYPE, AND QUANTITY OF PLANTS AND TREES TO BE INSTALLED, AND SHALL INCLUDE A MAINTENANCE SCHEDULE FOR THE PLANTS AND TREES. THE LANDSCAPE PLAN SHALL ALSO SHOW THE LOCATION AND TYPE OF ANY LANDSCAPING/SCENIC IMPROVEMENTS TO BE INSTALLED. THE LANDSCAPE PLAN SHALL BE SUBMITTED TO THE CITY OF FORT SMITH FOR REVIEW AND APPROVAL. THE LANDSCAPE PLAN SHALL BE SUBMITTED TO THE CITY OF FORT SMITH FOR REVIEW AND APPROVAL. THE LANDSCAPE PLAN SHALL BE SUBMITTED TO THE CITY OF FORT SMITH FOR REVIEW AND APPROVAL.

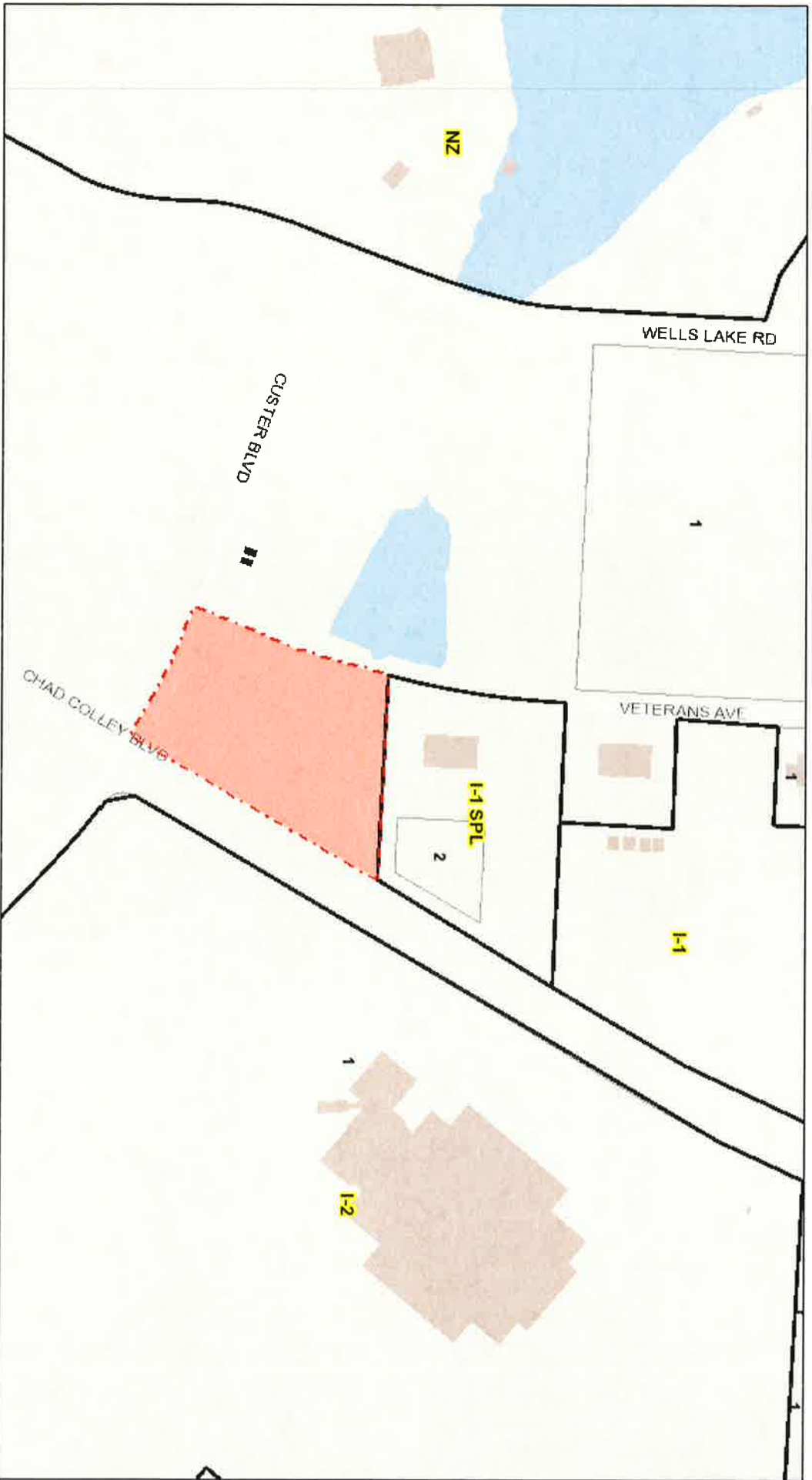


Rezoning #7-5-17: From Not Zoned to Industrial Light (I-1) 8300 Chad Colley Boulevard

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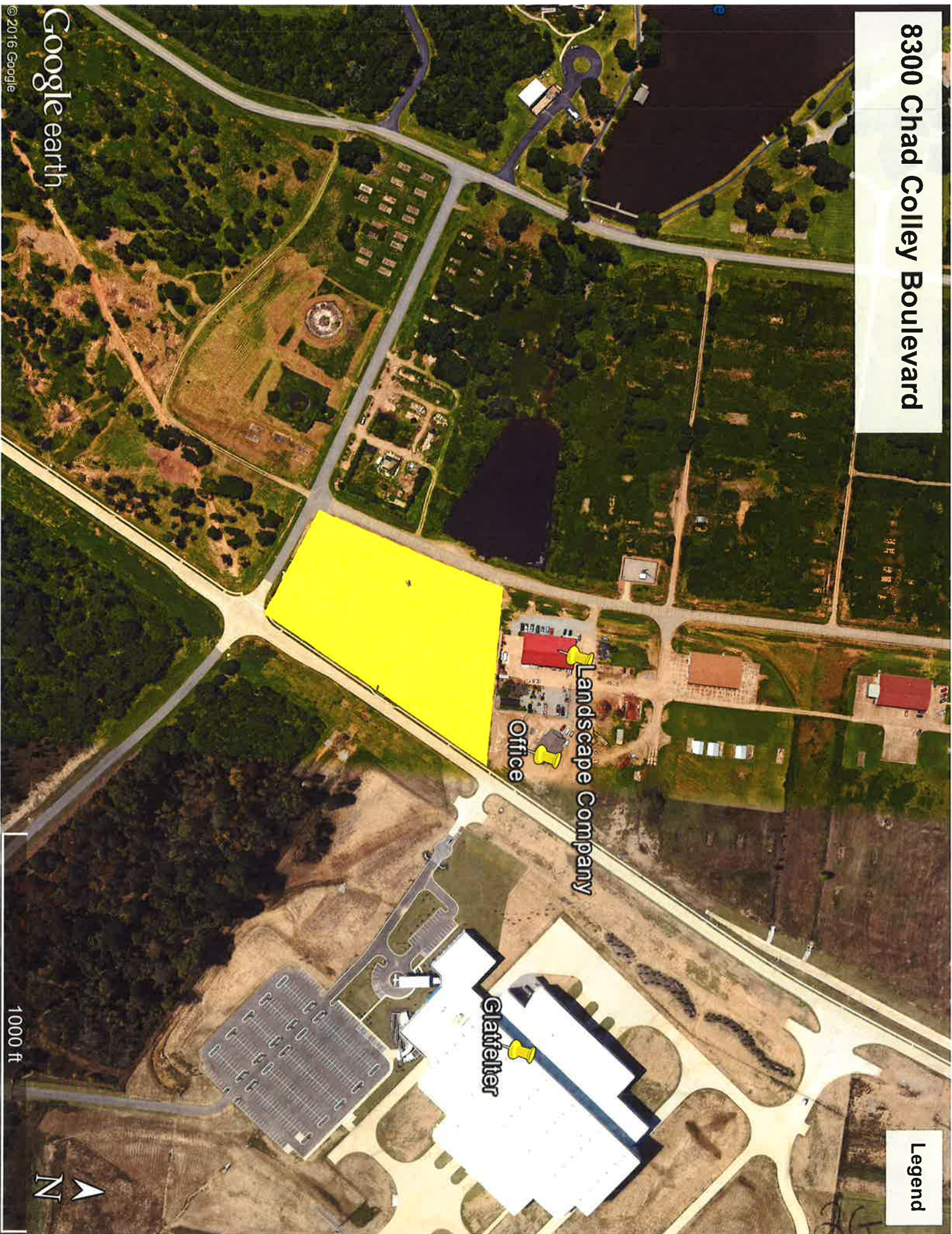
April 19, 2017

- Fort Smith City Limits
- Zoning
- Subdivisions
- Building Footprints
- Parks



8300 Chad Colley Boulevard

Legend



Google earth

© 2016 Google

10000 ft

N

Memo

To: City Planning Commission

From: Planning Staff

Date: April 24, 2017

Re: Development Plan Review - A request by Ron Brixey, agent for Blake Properties, LLC, for Planning Commission consideration for a Development Plan to construct a 2,482 s.f. office building at 8300 Chad Colley Blvd.

PROPOSED DEVELOPMENT PLAN

The zoning, development plan, and variance will allow for the construction of a 2,482 s.f. office building with 12 parking spaces. The development will have landscaping compatible with the Chaffee Crossing Design guidelines for perimeter and interior landscaping along with parking lot screening.

LOT LOCATION AND SIZE

The subject property is on the west side of Chad Colley Blvd, north side of Custer Blvd. and east side of Veterans Avenue containing street frontage along each street. The tract contains an area of 4.22 acres with approximately 617 feet of street frontage along Chad Colley Blvd. 477 feet of street frontage along Veterans Avenue, and 300 feet of street frontage along Custer Blvd.

REQUESTED ZONING

The requested zoning on this tract is Industrial Light (I-1).
Characteristics of this zone are as follows:

Purpose:

To provide for a mixture of light manufacturing, office park, research and development, and limited retail/service retail land uses in an attractive, business park setting. The Industrial Light district may be used as a zoning buffer between mixed uses, commercial uses and heavier industrial uses. The I-1 zoning district is appropriate in the Office, Research, and Light Industrial (ORLI) and Industry classifications of the Master Land Use Plan.

Permitted Uses:

Auto and boat related businesses, a wide variety of retail businesses, indoor flea market, pawnshop, financial services, offices, bar or tavern, restaurant, animal and pet services, manufacturing and commercial communication towers are examples of permitted uses.

Conditional Uses:

Homeless shelter, truck stop, outdoor flea market, beer garden, restaurant with outdoor dining, pet cemetery, animal food processing, petroleum distribution facility, bus station, recycling center, sports complex, educational facilities and police station are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 20,000 square feet	Maximum Height - 45 feet (1+1)
	Maximum Lot Coverage - 75%
Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres	
	Existing District (By Extension) – 20,000 square feet
Minimum Lot Width – 100 feet	
Front Yard Setback - 25 feet	
Side Yard on Street Side of Corner Lot - 15 feet	
Side Yard Setback – 10 feet	
Rear Yard Setback - 10 feet	
Side/Rear (adjoining SF Residential District/Development) – 100 feet (may be reduced to 60 feet with Planning Commission approval of screening and/or landscaping through the Development Plan approval process)	
Minimum building separation – to be determined by current City building and fire code.	
Required street access – Major Arterial or higher	

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Industrial Light (I-1-SPL) and is developed as a contractor's shop and storage yard.

The area to the east is zoned Industrial Moderate (I-2) and is developed as a paper processing company.

The area to the south is not zoned and is undeveloped.

The area to the west is being considered by the Planning Commission this month for a zoning of RSD-3 with potential development as single family or duplex buildings.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Chad Colley Blvd as a Boulevard, Custer Blvd. as a Major Arterial and Veterans Avenue as a local road.

SITE DESIGN FEATURES

Ingress/egress/traffic circulation – The site plan indicates that all ingress and egress for the office will occur from the proposed driveway on Chad Colley Blvd. The driveway has a companion variance application.

Easement/utilities – The developer must agree to meet all franchise and city utility easement requirements. Additionally, the development must comply with the City's Subdivision Design and Improvement Standards and the Standard Specification for Public Works Construction.

Drainage – At this time no detention pond is shown. The land currently has an existing creek drainage area to the south of the proposed office building.

Right-of-way dedication – No right-of-way dedication will be required.

Landscaping – The site will have landscaping along Chad Colley Blvd and Veterans Avenue along with interior landscaping within the scope of the proposed development. The applicant will install landscaping in compliance with the UDO and CCDG upon development of the rest of the site. The applicant plans to request a variance from the CCDG for the perimeter boundary landscape along interior side yards and parking lot screening landscape from adjacent properties.

Screening – A statement on the site plan indicates that the landscaping/screening will comply with Section 27-602-3 and with the FCRA development guidelines with the exception of the proposed CCDG variance for screening along interior property lines.

Parking – The plan indicates that 12 parking spaces will be installed. This number exceeds the UDO requirements for the number of off-street parking space.

Signage – A proposed monument sign is shown on the site plan. No sizes or information has been submitted for the sign. The sign shall not be allowed in any easement.

Lighting – All lighting will comply with the UDO Section 27-602-5 regarding commercial outdoor lighting.

Architectural features – A rendering has been submitted showing that the building will be one story with natural rock and cementitious siding.

Height and Area – The building is proposed as a one story building.

NEIGHBORHOOD MEETING

A neighborhood meeting was held on April 19th, 2017 at 4:00 P.M. at 8200 Chad Colley Blvd. No neighboring property owners attended the meeting.

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends approval of the application contingent upon the following comments:

1. Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
2. The clarification of the sewer easement as a private or public easement will be required prior to a building permit being issued.
3. Approval of the companion variance application.

DEVELOPMENT PLAN REVIEW APPLICATION

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830, representing to the Planning Commission as follows:

1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)
Part of the Northeast Quarter (NE/4) of the Southwest Quarter (SW/4), Part of the Northwest Quarter (NW/4) of the Southwest Quarter (SW/4) and Part of Government Lot 1 of the Northwest Quarter (Govt. Lot 1 NW/4), All in Section 5, Township 7 North, Range 31 West, Sebastian County, Arkansas. Complete description attached.

2. Address of property: 8300 Chad Colley Blvd.

3. The above described property is now zoned: Not Zoned

4. Does the development plan include a companion rezoning request?

Yes X No

- o If yes, please specify the companion application submitted: **Planned Rezoning**
- o Conventional Rezoning
- o Planned Rezoning
- o Conditional Use
- o Master Land Use Plan Amendment
- o Variance

6. If applicable, a companion rezoning application is proposed to change the zoning classification of the above described property to:

I-1, Industrial Light by Extension
(Zoning Classification) (Extension or classification)

7. Existing zoning, structures and driveways on surrounding properties within 300 feet of subject property:

Zoning to west and south – Not Zoned. Zoning to north I-1, zoning to east – I-2

See Site Plan for additional details

8. Total acreage of property 4.22 acres

3E

Signed:

Ron Brixey

Owner or Agent Name
(please print)

Owner

5223 E. Hwy. 45, Fort Smith, Ar. 72916
Owner or Agent Mailing Address

or

Ron Brixey

Agent

479-646-6394
Owner or Agent Phone Number

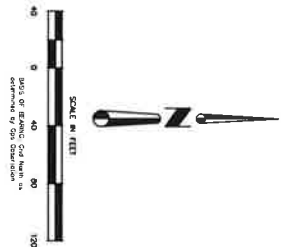
Development Plan Review: Office Building 8300 Chad Colley Boulevard

3G



April 19, 2017

- Fort Smith City Limits
- Building Footprints
- Parks
- Zoning
- Subdivisions



EXISTING SINK LINE		OWNER
PROPOSED WATERLINE		Blaiz Properties, LLC 1019 Deerwood Drive 72536 479-661-8985
WATER SERVICE		
WATER METER		
FREE HYDRAULIC		
5M SINKER SERVICE		
PROPOSED STRUCTURE		

STORM SEWER
STREET LIGHT
PROPERTY ADDRESS: 8300 CHAD COLLEY ROAD
CURRENT ZONING: NOT ZONED
PROPOSED ZONING: I-1, INDUSTRIAL LIGHT

CERTIFICATION
I, **Ronald Breyer**, hereby certify by my signature and seal that I am the author of the material herein and that I am the owner of the copyright in the material herein. I hereby certify that the material herein conforms to the standards of the Council on Post-Secondary Education of the State of South Dakota.

SOE WALK

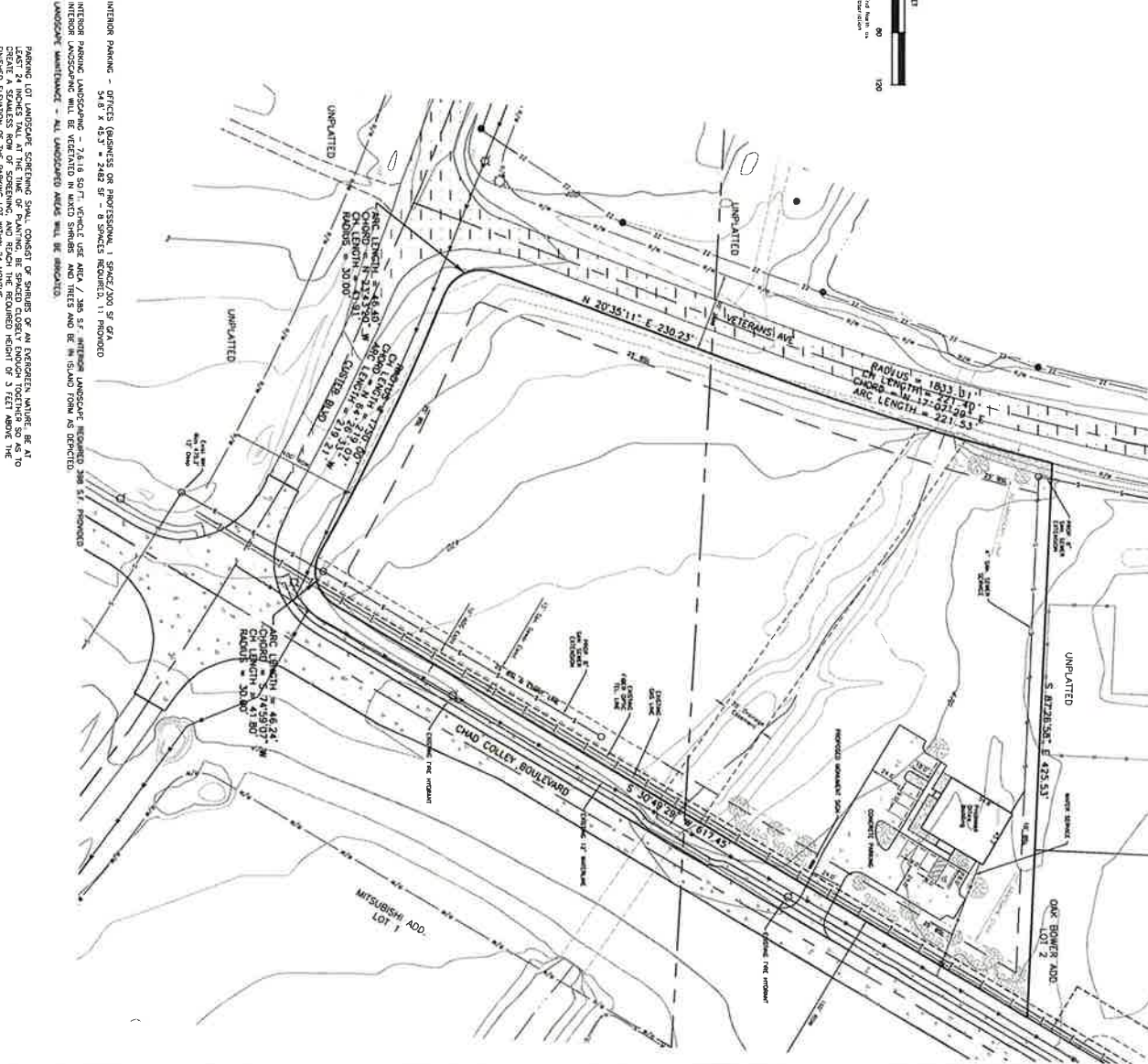
ASPHALT STREET

No. 36-037 as adopted on May 19, 2009, including subsequent revisions and additions to date

PROPOSED LANDSCAPING/SCREENING
Landscaping will comply with the minimum requirements of UDD Section 27-602-3 and the minimum requirements of the City of Fort Smith. The contractor will be required to submit a landscape plan to the City of Fort Smith for review and approval. The plan shall include a detailed description of the proposed landscaping, including the type and quantity of plants, trees, and shrubs, and the location and height of any screening walls or fences. The plan shall also include a detailed description of the proposed lighting, including the type and quantity of fixtures, and the location and height of any lighting poles. The plan shall be submitted to the City of Fort Smith for review and approval within 10 days of the date of the permit application.

EXTERIOR LIGHTING
All exterior lighting shall comply with the minimum requirements of the City of Fort Smith. The contractor will be required to submit a lighting plan to the City of Fort Smith for review and approval. The plan shall include a detailed description of the proposed lighting, including the type and quantity of fixtures, and the location and height of any lighting poles. The plan shall also include a detailed description of the proposed lighting controls, including the type and quantity of switches and sensors. The plan shall be submitted to the City of Fort Smith for review and approval within 10 days of the date of the permit application.

SOURCE
ALL PROPOSED ITEMS WILL BE PROVIDED BY THE CONTRACTOR.

[illegible]

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FRONT ELEVATION



SIDE ELEVATION

BUILDING MATERIALS
 WAINGSCOT - NATURAL ROCK
 SIDING - HARDIE BOARD
 TRIM - PAINTED CEDAR
 POSTS - STAINED CEDAR
 ROOF - METAL



**BRIXEY ENGINEERING &
 LAND SURVEYING, INC.**

CONSULTING ENGINEERS -- LAND SURVEYORS

8223 East Highway 45 P.O. Box 6180 Fort Smith, Arkansas 72909 (479) 548-5294



Revised



BUILDING ELEVATIONS
 CUSTER POINT
 CITY OF FORT SMITH
 SEBASTIAN COUNTY, ARKANSAS

Prepared For: Chaffee Commercial Properties, LLC

Date	4/27/17
Drawn By	
Approved By	
Job No.	17-0058
Sheet	
Total	

31

Memo

To: City Planning Commission

From: Planning Staff

Date: April 24, 2017

Re: Variance #15-5-17 -A request by Ron Brixey, agent for Blake Properties, LLC, for Board of Zoning Adjustment consideration of a driveway separation variance from 300 feet to 185 feet minimum driveway separation at 8300 Chad Colley Blvd.

REQUESTED VARIANCE

The applicant is requesting a driveway separation variance request from 300 feet to 185 feet minimum driveway separation to facilitate the construction of a 2,482 s.f. office building with 12 parking spaces.

LOT LOCATION AND SIZE

The subject property is on the west side of Chad Colley Blvd, north side of Custer Blvd. and east side of Veterans Avenue containing street frontage along each street. The tract contains an area of 4.22 acres with approximately 617 feet of street frontage along Chad Colley Blvd. 477 feet of street frontage along Veterans Avenue, and 300 feet of street frontage along Custer Blvd.

REQUESTED ZONING

The requested zoning on this tract is Industrial Light (I-1).
Characteristics of this zone are as follows:

Purpose:

To provide for a mixture of light manufacturing, office park, research and development, and limited retail/service retail land uses in an attractive, business park setting. The Industrial Light district may be used as a zoning buffer between mixed uses, commercial uses and heavier industrial uses. The I-1 zoning district is appropriate in the Office, Research, and Light Industrial (ORLI) and Industry classifications of the Master Land Use Plan.

Permitted Uses:

Auto and boat related businesses, a wide variety of retail businesses, indoor flea market, pawnshop, financial services, offices, bar or tavern, restaurant, animal and pet services, manufacturing and commercial communication towers are examples of permitted uses.

Homeless shelter, truck stop, outdoor flea market, beer garden, restaurant with outdoor dining, pet cemetery, animal food processing, petroleum distribution facility, bus station, recycling center, sports complex, educational facilities and police station are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 20,000 square feet

Maximum Height - 45 feet (1+1)

Maximum Lot Coverage - 75%

Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres

Existing District (By Extension) – 20,000 square feet

Minimum Lot Width – 100 feet

Front Yard Setback - 25 feet

Side Yard on Street Side of Corner Lot - 15 feet

Side Yard Setback – 10 feet

Rear Yard Setback - 10 feet

Side/Rear (adjoining SF Residential District/Development) – 100 feet (may be reduced to 60 feet with Planning Commission approval of screening and/or landscaping through the Development Plan approval process)

Minimum building separation – to be determined by current City building and fire code.

Required street access – Major Arterial or higher

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Industrial Light (I-1-SPL) and is developed as a contractor's shop and storage yard.

The area to the east is zoned Industrial Moderate (I-2) and is developed as a paper processing company.

The area to the south is not zoned and is undeveloped.

The area to the west is being considered by the Planning Commission this month for a zoning of RSD-3 with potential development as single family or duplex buildings.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Chad Colley Blvd as a Boulevard, Custer Blvd. as a Major Arterial and Veterans Avenue as a local road.

MASTER LAND USE PLAN COMPLIANCE

The Chaffee Crossing Future Land Use Plan classifies this site as Master Land Use Plan classifies the site as Mixed Use: Industrial/Office. This classification is intended to guide appropriate development of non-residential uses with a larger community context, establish strong street presence, and promote parking on the sides and rear of the building.

APPLICANT HARDSHIP

The applicant has stated that the location of the drainage ditch and adjacent owners driveway makes a variance needed.

NEIGHBORHOOD MEETING

A neighborhood meeting was held on April 19th, 2017 at 4:00 P.M. at 8200 Chad Colley Blvd. No neighboring property owners attended the meeting.

GRANTING OF A VARIANCE

If the BZA approves this variance, staff requests that it substantiate its reason for approval in accordance with Section 27-337-2 of the Unified Development Ordinance, which permits the granting of a variance only when it is demonstrated that such action is in keeping with the spirit and intent of the provisions of the zoning chapter.

STAFF COMMENTS AND RECOMMENDATIONS

The location of the drainage ditch does not allow for a driveway to be placed on this section of property without a variance. The Engineering Department does not object to the variance. Staff recommends approval of the application contingent upon the following comments:

1. Approval of the companion development plan. Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.

APPLICATION FOR VARIANCE

Notice is hereby given that the undersigned, as owner(s) of the following property in the Fort Smith District of Sebastian County, Arkansas, to-wit: (Legal Description)

Address of property 8300 Chad Colley Blvd., Existing or Proposed

Zoning Classification None - Proposed I-1, has filed with the Planning Department a written application pursuant to Article 5-6 of Ordinance 2324 of the City of Fort Smith, Arkansas, to secure a variance from the literal provisions of the zoning ordinance as follows:

<u>Office Use Only-List the Specific Variance Requested and Applicant Stated Hardship</u>

<u>FROM</u>	-	<u>TO</u>	
<u>NA</u>	-	<u> </u>	Front Yard Setback or Minimum Distance from Right-of-Way
<u>NA</u>	-	<u> </u>	Exterior Side Yard Setback
<u>NA</u>	-	<u> </u>	Interior Side Yard Setback
<u>NA</u>	-	<u> </u>	Rear Yard Setback
<u>NA</u>	-	<u> </u>	Maximum Height of Structure
<u>NA</u>	-	<u> </u>	Minimum Distance Between Structures on the Same Lot
<u>NA</u>	-	<u> </u>	Minimum Lot Area (Square Feet)
<u>NA</u>	-	<u> </u>	Minimum Lot Frontage
<u>NA</u>	-	<u> </u>	Maximum Size of a Sign
<u>300 feet</u>	-	<u>185 feet</u>	Other: <u>Minimum Driveway Separation</u>

The undersigned will present said application to the Board of Zoning Adjustment at the first regular City Planning Commission meeting following the expiration of seven (7) days from the date of this publication, at which meeting the Board of Zoning Adjustment will conduct a public hearing on

said application. All interested persons are invited to attend and are entitled to be heard. This notice is published this _____ day of _____, 20____.

Signed:

Ron Brixey
Owner or Agent Name (*please print*)

479-646-6394
Owner or Agent Phone Number

5223 E. Hwy. 45, Fort Smith, Ar. 72916
Owner or Agent Mailing Address

Owner
or
Ron Brixey
Agent

Variance # _____

4E

VARIANCE INFORMATION FORM

The following paragraph (Section 27-337-2) of the Fort Smith Unified Development Ordinance defines the criteria for granting a variance:

The Board of Zoning Adjustment shall hear requests for variances from the literal provision of the zoning chapter in instances where strict enforcement of the zoning chapter would cause undue hardship due to circumstances unique to the individual property under consideration, and shall grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the zoning chapter. The Board of Zoning Adjustment shall not permit, as a variance, any use in a zone that is not permitted under the chapter. The Board of Zoning Adjustment may impose conditions in the granting of a variance to insure compliance and to protect adjacent property.

1. To aid the Board of Zoning Adjustment in arriving at a decision on your application, please note the lot information requested and check the appropriate answer to each of the questions that follow.

Yes

No

 X

Is this variance needed because of previous actions taken by yourself?

 X

Is this variance needed because of previous actions taken by a prior owner?

 X

A zoning hardship is present only when a property has no reasonable use without a variance. Do you have use of your property without a variance?

 X

Is the variance needed due to the unique circumstances of the property (such as lot area, lot width, setbacks, yard requirements, or building height)? If yes, please explain on the following page.

 X

Is the lot of an odd or unusual shape?

 X

Does the lot have "radical" topography (steep, unbuildable slopes - streams or bodies of water - unstable or eroded area)?

 X

Does the lot contain required easements other than those that might be located on its perimeter?

 X

Is any part of the lot in a flood plain or flood way?

 X

Is the lot smaller than minimum lot area or minimum frontage for its zoning classification?

 X

Is the lot developed with structures in violation of current zoning requirements?

 X

Does the lot front any street classified as an arterial or collector on the Master Street Plan?

Explanation of question #4 (if applicable)

The property is split by a large drainage channel. The driveway of the adjacent property to the north is approximately 20 feet north of the property line. The distance from the neighboring driveway to the edge of the drainage channel is 280 feet. Additionally, a fire hydrant is located 50 feet from the edge of the channel. No driveway off of Chad Colley Blvd. can be placed on the northern portion of the property which will be in compliance with the driveway separation limitation.

2. Describe how the strict enforcement of the zoning code causes an undue hardship for your project:

See explanation above.

It seems logical to front proposed commercial businesses on the property

to Chad Colley Blvd. as Chad Colley Blvd. is the main thoroughfare through

the center of Chaffee Crossing.

3. List any special circumstances/conditions which exist that have not been created by the owner/applicant and do not apply to other properties in your area:

The location of the neighboring driveway is unfortunate in this circumstance.

Variance #15-5-17: From 300' to 185' minimum driveway separation on a Boulevard Street 8300 Chad Colley Boulevard

HH



- April 20, 2017
- Fort Smith City Limits
 - Zoning
 - Building Footprints
 - Parks
 - Subdivisions

Memo

To: City Planning Commission

From: Planning Staff

Date: April 26, 2017

Re: Rezoning #8-5-17 - A request by Jeff Lee, agent, for Planning Commission consideration of a zone request from Commercial Heavy (C-5) to Planned Zoning District by classification at 9201 US Highway 271

PROPOSED ZONING

Approval of this rezoning request will allow for the construction of a new building for offices and a warehouse/distribution center for Unifirst Uniform Services.

LOT LOCATION AND SIZE

The subject property is on the east side of US Highway 271 just south of Fianna Place Court. The tract contains an area of 2.84 acres with approximately 275 feet of street frontage along US Highway 271.

REQUESTED ZONING

The applicant has requested a Planned Zoning District (PZD). The purpose of a Planned Zoning District is to assure control of certain development while providing the applicant a means of gaining commitment without undue financial risk. Specifically the purposes of a PZD are to encourage:

- Comprehensive and innovative planning and design of diversified yet harmonious development consistent with the comprehensive plan;
- Better utilization of sites characterized by special features of geographic location, topography, size, or shape;
- Flexible administration of general performance standards and development guidelines;
- Primary emphases shall be placed upon achieving compatibility between the proposed developments and surrounding areas to preserve and enhance the neighborhood through the use of enhanced site design, architecture, landscaping, and signage.
- Developments that utilize design standards greater than the minimum required by the UDO.

EXISTING ZONING

The existing zoning on this tract is Commercial Heavy (C-5).
Characteristics of this zone are as follows:

Purpose:

To provide adequate locations for retail uses and services that generate moderate to heavy automobile traffic. The C-5 zoning district is designed to facilitate convenient access, minimize traffic congestion, and reduce visual clutter. The C-5 zoning district is appropriate in the General Commercial, Office, Research, and Light Industrial, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

Permitted Uses:

A wide variety of retail uses including clothing stores, specialty shops and restaurants. Commercial-5 zones also allow professional offices and multi-family apartments, community residential facility and neighborhood group homes are examples of permitted uses.

Conditional Uses:

Orphanage, dormitory, sorority, fraternity, auto vehicle impoundment or holding yard, auto body shop, medical laboratory, beer garden, restaurants with outdoor dining, pet cemetery, bus station, utility substations, museum, parks, educational facilities, police station, community food service, nursing home and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 14,000 square feet	Maximum Height - 45 feet (1+1)
	Maximum Lot Coverage - 75%
Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres	
	Existing District (By Extension) – 14,000 square feet
Minimum Lot Width – 100 feet	
Front Yard Setback - 25 feet	
Side Yard on Street Side of Corner Lot - 15 feet	
Side Yard Setback – 20 feet	
Rear Yard Setback - 20 feet	
Side/Rear (adjoining SF Residential District/Development) – 30 feet	
Minimum building separation – to be determined by current City building and fire code.	
Required street access – Minor Arterial or higher	

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Residential Single Family Duplex Medium/High Density (RSD-3) with Special Requirements and is developed as single family residences.

The area to the east is zoned Commercial Heavy (C-5) and is developed as the existing Unifirst Uniform Services location.

5B

The area to the south is zoned Commercial Heavy (C-5) and is developed as a liquor store and a grocery store.

The area to the west is zoned ETJ Industrial Light with Special Requirements and is undeveloped.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies US Highway 271 as Major Arterial.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Residential Attached. This classification is to provide for diverse populations and households, by supporting variety and options in living environments, and housing, while protecting and improving property values.

PROJECT BOOKLET

A copy of the project booklet is enclosed for your review. The following criteria shall be considered by the Planning Commission when reviewing the project booklet:

- A. Is the site capable of accommodating the building(s), parking areas and drives with the appropriate open space provided? **YES**
- B. Does the plan provide for safe and easy ingress, egress and internal traffic circulation? **YES**
- C. Is the plan consistent with good land use planning and site engineering design principles, particularly with respect to safety? **YES**
- D. Are the architectural designs consistent with the City of Fort Smith policies and regulations and compatible with surrounding land use features? **YES**
- E. Does the Plan represent an overall development pattern that is consistent with the Comprehensive Plan, Master Street Plan, Master Land Use Plan, and other adopted planning policies? **YES**
- F. The required right-of-way dedication has been identified by the City Engineering Department? **YES**
- G. All easements and utilities shall meet the requirements of the approving departments and agencies? **YES**
- H. Articulate how the plan minimizes or mitigates the impact of increased traffic both in volume and vehicle size. **The plan is proposing a shared drive with the business to the south to allow for fewer driveways along Highway 271.**
- I. Articulate how the plan exceeds the UDO requirements. (e.g. increased landscaping increased high quality materials, etc.) **The applicant states the project will exceed the UDO requirements as follows (also see section 3j of the project booklet):**

1. Restrict the allowed land uses as listed in the project booklet, but add warehouse, packaging and distribution center, and oil and gas field related uses to the allowed land uses
2. Increase the minimum lot size from 14,000 square feet to 1 acre
3. Increase the minimum number of trees required for landscaping
4. Increase in the number of parking spaces
5. Increase in signage regulations

SITE DESIGN FEATURES

Ingress/egress/traffic circulation – The project will reuse the existing driveway on the front of the property.

Right-of-way dedication – Right-of-way is already acquired.

Drainage – Drainage must comply with the 2011 Stormwater Drainage Standards.

Landscaping & Screening – A six foot tall wood privacy fence will be constructed along the north property line to screen from the adjacent residential properties. Landscaping will be provided along the US Highway 271 frontage.

Parking – 25 parking spaces are proposed with the minimum number of parking spaces being 21.

Signage – Signage will comply with the UDO Section 27-704-3.

Sidewalks – Not required.

Architectural Standards – Buildings in this PZD are described to meet the Industrial Design Standards and will be utilizing the stucco finished steel wall panels.

FACTORS TO BE CONSIDERED

Approval, approval as amended, or denial of the application and project booklet shall be based on the following factors as outlined in Section 27-341-3(E) of the UDO:

- A. Compatibility with the Comprehensive Plan, Master Street Plan, and applicable area plans (e.g., corridor, neighborhood)
- B. Compatibility of the proposed development with the character of the neighborhood.
- C. The zoning and uses of adjacent and nearby properties, and the compatibility of the proposed future uses with those existing uses.
- D. The extent to which the proposed land use would increase or change traffic volume or parking demand in documented evidence or engineering data, road conditions, road

safety, or create parking problems in combination with any improvements that would mitigate these adverse impacts.

- E. The current availability of public utilities and services and the future capacity needed to adequately serve the proposed land use in combination with any improvements that would mitigate these adverse impacts.
- F. That the application complies with all relevant ordinance requirements (for example 27-200, 27-500, 27-600, and 27-700).

NEIGHBORHOOD MEETING

A neighborhood meeting was held Wednesday, April 26, 2017 at 9711 Old Highway 271.

No neighboring property owners were in attendance.

The City of Fort Smith was represented by Tyler Miller.

STAFF COMMENTS AND RECOMMENDATIONS

The PZD would allow for Unifirst Uniform Solutions to relocate to this location. The existing zoning on this site is Commercial Heavy (C-5) and the C-5 zone does not allow for a warehouse or packaging and distribution center. The uniforms would not be laundered at this location; rather, they will be sent to Tulsa for laundering and then returned for distribution.

The proposed PZD is similar to a Commercial Heavy (C-5) zone with the addition of Industrial Light land uses (warehouse, packaging and distribution center, and oil and gas field uses) and the use of the Industrial Building Design Standards. This PZD exceeds the UDO requirements by limiting the signage to monument and façade signage, excluding certain C-5 land uses such as container storage, bail bonds office, and kennels, and adding more trees than what is required by the UDO.

**UNIFIRST OFFICES AND WAREHOUSE
PZD APPLICATION
PROJECT BOOKLET**

- 3a. The subject property is currently zoned C5. A change in zoning is needed to allow for the development of all uses in a C5 zone plus a uniform warehouse distribution center and offices. It will allow this site to utilize design standards common to I-1 zone, and will meet or exceed the minimum standards required by the UDO Industrial Building Design Standards.

3b. Owner	Representative
SAB, Inc. Denny Altes POBox 180117 Fort Smith, AR 72918	Jeff Lee 3409 Village Rd. Fort Smith, AR 72903

The PZD will include an area of 2.84 acres located on the eastern side of HWY 271 just north of I-540. The proposed PZD will meet or exceed the design requirements and development standards set forth in the Unified Development Ordinance, chapters 27-200, 27-500, 27-600 and 27-700 for Industrial Building Design Standards.

3c. General Project Scope

- i. Street and lot layout:
See attached Site Plan A1. The access to the site is via HWY 271 So.
- ii. Site Plan showing improvements
See attached Site Plan A1.
- iii. Buffer areas, screening and landscaping areas
 1. All items will meet or exceed City UDO requirements.
 2. A bermmed landscape buffer will be located west of new parking at the front of the building.
 3. A six foot high opaque wood fence will be provided along the north property line to screen residential development.
 4. Landscape material and types will meet the requirements of the UDO landscaping standards. New fast growing trees, with consideration to underground utilities, will be planted in the berm area west of the parking lot.
 5. All dumpsters, equipment and HVAC will be screened with opaque wood fences.

- iv. Storm water detention areas and drainage
All detention and drainage will comply with 2011 Storm Water Drainage Standards. Generally, all surface water will sheet flow to the major drainage swale to the north in the drainage easement.
- v. Undisturbed natural areas
There is an extensive area between the parking lot and Hwy 271 that will remain undisturbed except for new landscaping buffer west of parking lot. The southeast quadrant of the lot is also undisturbed.
- vi. Existing and proposed utility connections and extensions
 - 1. All utilities are existing and available along HWY 271. Water pressure tests for fire sprinkler system have not yet been performed.
- vii. Development and architectural design standards
 - 1. Design standards will comply with UDO Industrial Building Design Standards with intention to use integral colored stucco finish metal panels where quality materials are required.
 - 2. All building in the PZD shall meet the UDO Industrial Building Design Standards.
 - 3. Site lighting will comply with USO Section 27-602-5.
- viii. Building elevations
 - 1. The front west facade of all new construction facing HWY 271 will contain 100% stucco finish metal panels with a stone base; the north and south walls of the building to a point 40 ft back from the front of the wall is covered with stucco finish metal panels and the remainder is standard metal panels; The east rear wall will be standard metal panels. See architectural drawing A3.
- ix. Proposed signage (Type and size)
 - 1. Signage for the PZD will be per City ordinance 27-704-3, but will not be permitted in easements.
 - 2. Pole mounted signs are not permitted.
 - 3. Monument signs are permitted
- 3e. Proposed Development Phasing and Time Frame

The development is proposed to begin construction during the last half of 2017 and completed by May 2018.
- 3f. Identify Land Use Designations: See attached **Appendix A**
- 3g. Identify Area and Bulk Regulations for PZD
 - a. Minimum lot size: 1 acre
 - b. Minimum lot width at BSL: 100'
 - c. Maximum lot coverage: 75%
 - d. Maximum height: 45'
 - e. Additional height: Per UDO code

f. Setbacks:

- Front: 75'
- Side: 20'
- Street side/corner: 20'
- Rear: 20'
- Minimum street frontage: 50'
- Minimum building separation: To be determined by current building and fire code.

3h. Comparison Chart between the proposed PZD and the Fort Smith C-5 zone

	<u>Proposed PZD</u>	<u>C-5</u>
• Minimum lot size	1 Acre	14,000
• Minimum lot width	100'	100'
• Maximum lot coverage	75%	75%
• Maximum lot height	45'	45'
• Additional height	Per UDO	Per UDO
• Setbacks		
Front	75'	25'
Side	20'	20'
Street side/corner	20'	15'
Rear	20'	20'
Minimum Street frontage	50'	N/A
Minimum building separation	To be determined by current Building and fire code	

3i. The proposed PZD will follow the guidelines of a C-5 zone with many occupancies eliminated, and additional occupancies added to allow warehouses, oil and gas equipment sales and service, oil and gas equipment rental and leasing.

3j. Commercial Standards

The project will exceed the UDO requirements as follows:

1. Restrict land use as shown on Appendix A.
2. Increase of minimum lot size to 1 acre
3. Added signage restrictions (pole signs not permitted)
4. Planting more trees (2 dogwoods, 3 yaupon holly, 2 red maple) than required by UDO(2)
5. Planting 5 crepe myrtles (none req'd by UDO)

3k. The surrounding area is presently developed as commercial, retail, and residential. By establishing the PZD zone, modeled after a C-5 zone, but only allowing the construction of limited C-5 zone uses plus a warehouse occupancy.

3l. Traffic study not required.

3m. Water and Sewer utilities are currently available along Hwy 271.

Appendix A

Fort Smith Use Matrix																								
										</														

51

Appendix A

[illegible]

Fort Smith

2

Use Matrix

55

P = Permitted Use, C = Conditional Use, A = Accessory Use	Districts	RE3	RE1	RS-1	RS-2	RS-3	RS-4	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	RMD	RH	T	C-1	C-2	C-3	C-4	C-5	C-6	L-1	L-2	L-3	L-4	PZD
Bookstore																												
Bridal shop																												
Cameras, photographic supplies and services																												
Clothing, jewelry, luggage, shoes, accessories																												
Gift shop																												
Sewing machine store (sales & service)																												
Sporting goods, toys, & musical instruments																												
Thrift store																												
Consumer Goods, Other																												
Antique shop																												
Art dealers, art studio, galleries, supplies																												
Arts and craft shop																												
Flea market (indoor)																												
Flea market (outdoor)																												
Florist shop																												
Hobby shop																												
Office supply store																												
Pawnshop																												
Pawnshop (no outside storage)																												
Tobacco shop																												
Grocery, Food, Beverage, Dairy																												
Bakery or confectionery shop																												
Beer, wine and liquor store (with drive-through)																												
Beer, wine and liquor store (without drive-through)																												
Convenience store (with gasoline sales)																												
Farmer's market																												
Fruit and vegetable store																												
Grocery store or supermarket																												
Neighborhood store																												
Health and Personal Care																												
Cosmetics, beauty supplies, and perfume stores																												
Medical appliance services																												
Optical shop																												
Pharmacy or drug store																												
Finance and Insurance																												
Auto insurance claims office																												
Automatic teller machine																												
Bank, credit union, or savings institution																												
Credit and finance establishment																												
Fund, trust, or other financial establishment																												
Insurance office																												

5K

[illegible]

4

Use Matrix

5L

Appendix A

[illegible]

5M

Appendix A

Districts		RE3	RE1	RS-1	RS-2	RS-3	RS-4	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	RMD	RH	T	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	PZD
P = Permitted Use, C = Conditional Use, A = Accessory Use																											
Food and beverage processing																											
Leather and allied products																											
Textiles																											
Tobacco manufacturing																											
Wood, Paper and Printing Products																											
Cabinet and woodwork shop																											
Furniture or home furnishings																											
Manufacturing, boxes/containers/corrugated																											
Manufacturing, packaging material																											
Paper and printing materials																											
Wood products manufacturing plant																											
Chemicals, Metals, Machinery, and Electronics Mfg.																											
Acid manufacturing																											
Asphalt or concrete batching plant (permanent)																											
Chemicals, plastics and rubber industry																											
Electrical equipment, appliance and components mfg.																											
Explosives manufacturing																											
Foundry or metal-works facility																											
Laboratory (manufacturing)																											
Machine, welding, or sheet metal shop																											
Nonmetallic manufacturing																											
Petroleum and coal products																											
Pharmaceutical manufacturing																											
Refinery																											
Tire retreading																											
Miscellaneous Manufacturing																											
Auto manufacturing																											
Barge and ship manufacturing																											
Boat manufacturing																											
Dolls, toys, games, musical instruments																											
Jewelry and silverware																											
Manufacturing, batteries																											
Manufacturing, fiberglass																											
Manufacturing, foam products																											
Manufacturing, heavy																											
Manufacturing, light																											
Manufacturing, medium																											
Manufacturing, motors, drives, and generators																											
Office supplies																											
Wholesale Trade Establishment																											

Fort Smith

6

Use Matrix

5 N

[illegible]

Appendix A

P = Permitted Use, C = Conditional Use, A = Accessory Use	Districts	RE3	RE1	RS-1	RS-2	RS-3	RS-4	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	RMD	RH	T	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	PZD
Nuclear power plant																											
Radio, television, and microwave transmitting towers																											
Recycling center																											
Recycling collection station																											
Sanitary landfill																											
Solid waste collection																											
Utility shop, storage yard or building																											
Utility substation																											
Wastewater treatment plant																											
Arts, Entertainment, and Recreation																											
Performing Arts or Supporting Establishments																											
Drive-in theater																											
Movie theater																											
Performance theater																											
Carnival or circus (temporary with permit)																											
Fairground/rodeo ground																											
Museums and Other Special Purpose Recreational Institutions																											
Historical or archaeological institution																											
Museum																											
Zoos, botanical gardens, arboreta																											
Amusement, Sports, or Recreation Establishment																											
Amusement center (indoor)																											
Amusement center (outdoor)																											
Convention/Event center																											
Bingo parlor																											
Casino gaming business																											
Country club																											
Dance hall/night club																											
Private club																											
Race track																											
Fitness, Recreational Sports, Athletic Club																											
Bowling alley																											
Community recreation center																											
Driving range (outdoor)																											
Golf course																											
Pistol Range (Indoor)																											
Health club																											
Fitness studio																											
Indoor Games Facility																											
Miniature golf course																											
Pool hall																											

Fort Smith
B

Use Matrix

5P

Appendix A

	Districts	RE3	RE1	RS-1	RS-2	RS-3	RS-4	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	RMD	RH	T	C-1	C-2	C-3	C-4	C-5	C-6	L-1	L-2	L-3	PZD
	P = Permitted Use, C = Conditional Use, A = Accessory Use Sexually oriented business (see Ft. Smith Muni. Code Sec.14-141)																										
	Skating rink																										
	Sports complex/athletic field																										
	Swimming pool																										
	Water park																										
	Camps, Camping, and Related Establishments																										
	Camps, camping, and related establishments																										
	Natural and Other Recreational Parks																										
	Park or playground (public and nonpublic)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
	Education, Public Administration, Health Care and Other Institutions																										
	Educational Services																										
	College, university, or seminary		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
	Fine art and performance education		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
	Library or public arts complex			C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
	Nursery school		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
	Preschool		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
	Primary and secondary school		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
	School, business professional		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
	School, technical or trade		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
	Public Administration - Government																										
	Criminal justice facility																										
	Detention facility																										
	Government office																										
	Public Safety																										
	Emergency response station																										
	Fire and rescue station		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
	Police station		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
	Police substation (no incarceration)		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
	Health and Human Services																										
	Community health and welfare clinic																										
	Diagnostic laboratory testing facility																										
	Doctor office and clinic																										
	Hospice residential care facility																										
	Hospital																										
	Mental health hospital																										
	Nursing home																										
	Substance abuse treatment facility																										
	Social Assistance, Welfare, and Charitable Services																										
	Child and youth services (office)		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
	Day care Home (12 or less)																										
	Day care center																										

[illegible]

Unifirst Office and Warehouse April 26, 2017 Neighborhood Meeting Summary

The meeting was held at 12:15 at Altes Sanitation Offices. In attendance were Jeff Lee, architect, Bobby Altes, owner, two city staff and zero people from the community who live within 300 ft. of the proposed PZD property (see meeting attendance list).

Nobody came. There was no discussion.

Jeff Lee, AIA

PETITION FOR CHANGE IN ZONING MAP

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas as follows:

1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)

**LOT 1, FLANNA COMMERCIAL PARK ADD'N
TO THE CITY OF FT. SMITH, AR**

2. Address of property: 9201 HWY. 271 SO

3. The above described property is now zoned: C5

4. Application is hereby made to change the zoning classification of the above described property to a Planned Zoning District.

5. Explain why the Planned Zoning District is requested?

TO ALLOW CONSTRUCTION OF WAREHOUSE
OCCUPANCY IN C5 TYPE ZONE WHILE ALSO
LIMITING SOME OCCUPANCIES ALLOWED IN C5.

Signed:

JEFF LEE

Owner or Agent Name
(please print)

**3409 VILLAGE RD
FSM, AR 72903**

Owner or Agent Mailing Address

Owner

or


Agent

5T

479-452-9226
Owner or Agent Phone Number

NOTICE OF PUBLIC HEARING

Notice is hereby given that the undersigned, as owner(s) or agent for the owner(s) of the following described property in the Fort Smith District of Sebastian County, Arkansas, to wit:

**LOT 1, FIANNA COMMERCIAL PARK ADD'N
TO THE CITY OF FT. SMITH, AR**

Address of property 9201 HWY 271 So has filed with the Director of Planning a
(Street Address)
written application to City of Fort Smith, Arkansas, to request a zone change from
C-5 to a Planned Zoning District by CLASSIFICATION
(Classification or Extension)

The undersigned will present said application to the City Planning Commission at its first regular meeting following the expiration of fifteen (15) days from the date of this publication, at which meeting the Planning Commission will conduct a public hearing on said application. All interested persons are invited to attend and are entitled to be heard.

This notice published this _____ day of _____, 20____.
(City will insert Date)

LETTER REGARDING RESTRICTIVE COVENANTS

Restricted covenants are regulations that are maintained and enforced by the property owners of the subject subdivision. These covenants may be found in your abstract or at the County Circuit Clerks Office. Restrictive covenants are often enforced in subdivisions with homeowner's associations and can always be more restrictive but never less restrictive than the City of Fort Smith's Zoning Regulations. *(See attached additional information on restrictive covenants)*

TO: Planning Department

SUBJECT: Legal Description of Property *(Insert legal description)*

LOT 1, FIANNA COMMERCIAL PARK ADD'N
TO THE CITY OF FORT SMITH, ARKANSAS

I have searched all applicable records, and to my best knowledge and belief, there are no restrictive covenants running with the above described land except as follows: *

NONE


Signature

(If no restrictive covenants exist, indicate "none".)*

AUTHORIZATION OF AGENT

If an agent (i.e., contractor) is acting on behalf of the owner(s), all owners must sign in the space provided. This form is necessary only when the person representing this request does not own all the property.

We the undersigned, being owners of real property, and requesting a rezoning by application do hereby authorize JEFF LEE to act as our agent in the matter.
(Print Name of Agent)

(Type or clearly print)

<u>NAMES OF ALL OWNERS.</u>	<u>SIGNATURE OF ALL OWNERS.</u>
1. <u>ROBERT ALTES</u>	<u>Robert Altes</u>
2. <u>SUSAN ALTES</u>	<u>Susan Altes</u>
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____

This form is necessary only when the person representing this request does not own all property.

5W

LIST OF OWNERS OF ALL PROPERTY TO BE REZONED

List the names and addresses of all owners of property included within the area requested by this petition to be rezoned.

	<u>NAME</u>	<u>ADDRESS</u>
1.	ROBERT ALTES	3604 Coventry Ln, Ft Smith, AR
2.	SUSAN ALTES	8400 Moody Rd, Ft Smith, AR
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

ATTENDANCE LIST FOR NEIGHBORHOOD MEETING

List the names, addresses & telephone numbers of all residents/property owners who attended the meeting.

Meeting Location Altes Sanitation / 9711 Old Hwy. 271 So / FSM

Meeting Time & Date April 26 @ 12:15 pm

Meeting Purpose Project Discussion

	<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE #</u>
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			

LIST OF OWNERS OF ALL PROPERTY WITHIN 300 FEET

(Please Type or Print)

The Planning Department is required to give notice (in writing) of this application to all surrounding property owners. List the name and address of the owner of every piece of property within 300 feet of any part of the property. This information may be obtained at the County Assessor's Office located in the Sebastian County Courthouse - Room 107. Please call the Tax Assessor's Office at 783-8948 for an appointment. (The Planning Department will mail the notices for you.)

NAME

ADDRESS

OW_NAME	OW_ADD
PERSON, ROBERT H & LINDA SUE	10708 CASTLETON FORT SMITH AR 72903
TRAYLOR, FLOYD L LIVING REVOCABLE T	9000 HIGHWAY 271 S FORT SMITH AR 72908
ARKANSAS STATE HIGHWAY COMMISSION	P O BOX 2261 LITTLE ROCK AR 72203
FORTUNE, KOLA J SHARE NO 2 TRUST	4500 S 35TH ST FT SMITH AR 72903-6464
EVANS, TILLMAN	1101 RUTGERS FORT SMITH AR 72903
LUDINGTON REVOCABLE LIVING TRUST	P O BOX 304 FORT SMITH AR 72902
BARNES, WAYMAN W & MELITA K	PO BOX 181052 FORT SMITH AR 72918
DEAN, JOHN PAUL	2100 QUEENBERRY WY FT SMITH AR 72908
THORNDYKE, CHRISTOHER J & MARK A	5143 BAKMAN #207 NORTH HOLLYWOOD CA 91601
MATHIAS SHOPPING CENTERS	P O BOX 6485 SPRINGDALE AR 72766
SAB CORPORATION	P O BOX 180117 FORT SMITH AR 72918
MATHIAS SHOPPING CENTERS INC	P O BOX 6485 SPRINGDALE AR 72766
DIXIE DIGITAL FINANCING, LLC	1401 COMMERCE CT FORT SMITH AR 72908
C V'S FOODLINER, INC	P O BOX 185 ALMA AR 72921-0185
BARNES, WAYMAN W & MELITA K	PO BOX 181052 FORT SMITH AR 72918
DADD, TERRY L & ELIZABETH A	17219 GAULT ST LAKE BALBOA CA 91406
DAY, RICHARD P & CONNIE L	7718 WILLIAMSBURG RD FORT SMITH AR 72903
RICHARDS, SHANNON E	2144 Point Parkw ay SPRING VALLEY CA 91978
DANNY MEADOWS, BUILDER, INC.	480411 E 1082 RD. MULDROW OK 74948
DANNY MEADOWS, BUILDER, INC.	480411 E 1082 RD. MULDROW OK 74948
DANNY MEADOWS, BUILDER, INC.	480411 E 1082 RD. MULDROW OK 74948
YODER, KEVIN V & TASHA L	2715 HERBERT ST Fort Smith AR 72901
INGLEY, LEE C	1400-1402 FIANNA PL FORT SMITH AR 72908
WILHELM, CHRISTOPHER J	9009 SOUTHRIDGE DR Fort Smith AR 72908
COBB & WESTPHAL LLC	109 N 6TH ST FORT SMITH AR 72901
COBB & WESTPHAL LLC	109 N 6TH ST FORT SMITH AR 72901
ABARCA, JORGE	9008 SOUTHRIDGE DR FORT SMITH AR 72908
COBB & WESTPHAL LLC	109 N 6TH ST FORT SMITH AR 72901
ZHU, XIAN RU SHAO	9009 S 12TH ST FORT SMITH AR 72908
SCOTT BLACK CONSTRUCTION, INC.	P O BOX 515 HACKETT AR 72937
SCOTT BLACK CONSTRUCTION, INC.	P O BOX 515 HACKETT AR 72937



This map is a representation of the information currently held by Sebastian County. While every effort has been made to ensure the accuracy of the product, Sebastian County accepts no responsibility for errors. The map is provided "as is" and any user of this map assumes all responsibility for the use thereof.

Disclaimer:



March 17, 2017

- : : Fort Smith City Limits
- : : Zoning

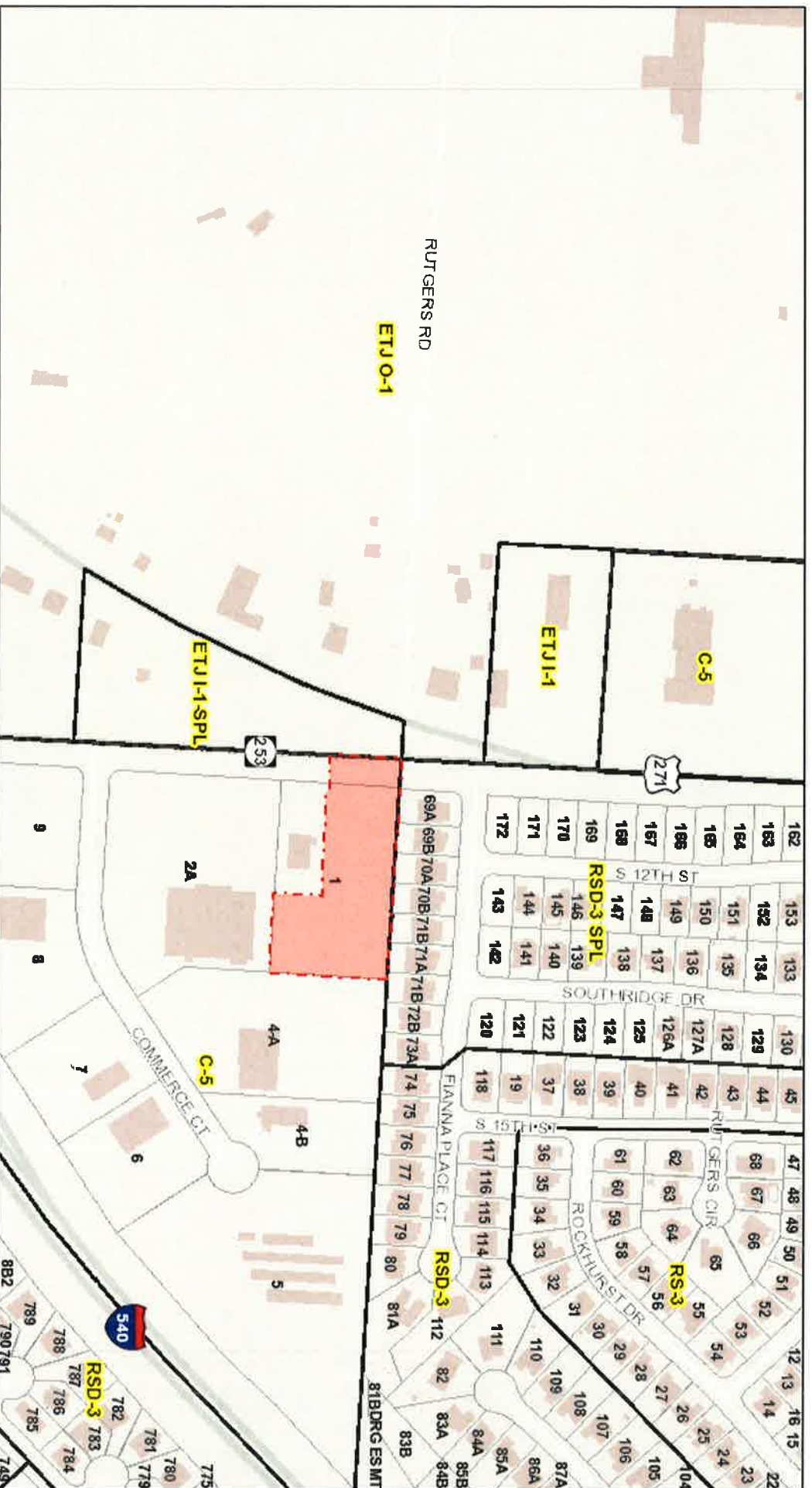
1:1,960



52-2

Rezoning #8-5-17: From Commercial Heavy (C-5) to Planned Zoning District (PZD) 9201 US Highway 271

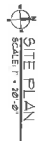
52-3



May 2, 2017

- Fort Smith City Limits
- Zoning
- Subdivisions
- Building Footprints
- Parks

ARKANSAS STATE HIGHWAY 271 SO



DISTURBED AREA OF SITE = 0.543 ACRES



FORT SMITH, AR

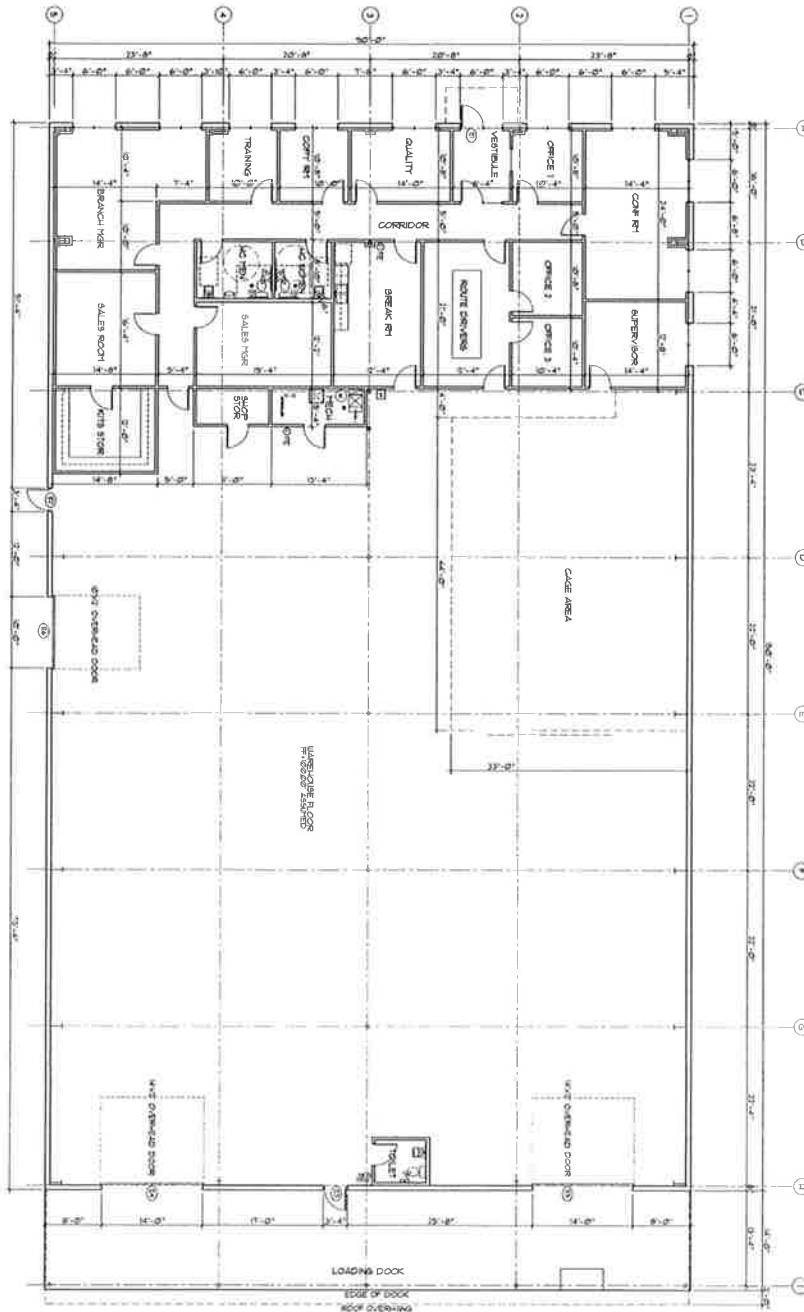
P. LEE JEFFERY
ARCHITECTURE

52-4

NOT FOR CONSTRUCTION

FLOOR PLAN

NOT FOR CONSTRUCTION



REVIEW

DATE	10/10/03
BY	P. JEFFERY LEE
NO.	A2



A NEW BUILDING FOR:	
UniFirst Uniforms	
9201 HWY 271 SO.	FORT SMITH, AR

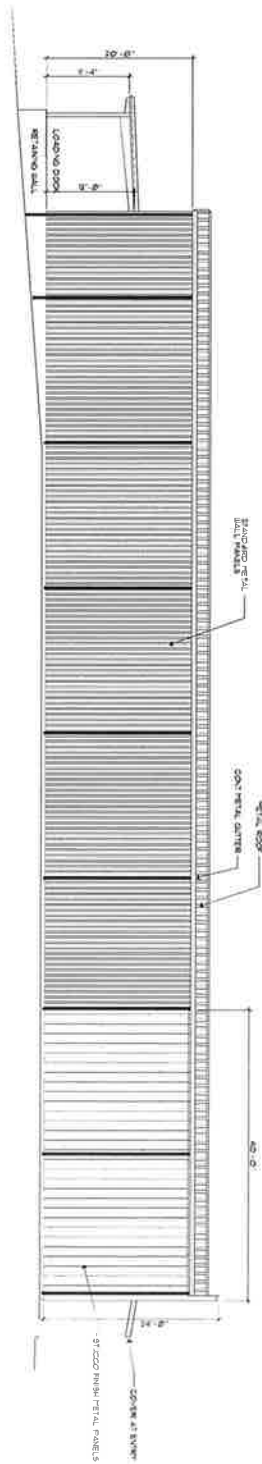
P. JEFFERY LEE, AIA
 3409 Village Rd., Fort Smith, AR 72903
 ph: 479.452.9226
 fax: 479.484.0312
 e-mail: PJLarchitect@aol.com



52-5

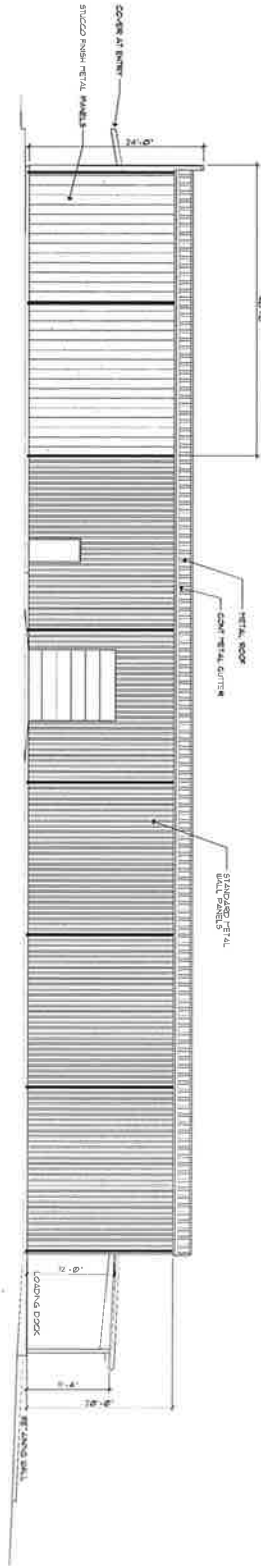
NORTH ELEVATION

SCALE: 1/8" = 1'-0"



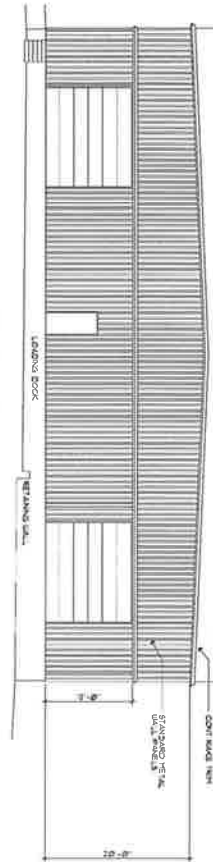
SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



EAST ELEVATION

SCALE: 1/8" = 1'-0"



WEST ELEVATION

SCALE: 1/8" = 1'-0"



REVIEW

DATE	BY	APP'D	REVIEWED
11-09	AS		



A NEW BUILDING FOR:

Unifirst Uniforms

9221 HWY 21 S.O. FORT SMITH, AR

P. JEFFERY LEE, AIA
 3409 Village Rd., Fort Smith, AR 72903
 ph: 479.452.9226
 fax: 479.484.0312
 e-mail: PJLarchitect@aol.com



52-6

Memo

To: City Planning Commission

From: Planning Staff

Date: May 5, 2017

Re: Preliminary plat - Stonecrest Addition – Lots 1-32 and Tracts A & B – Preliminary Plat – McClelland Consulting Engineers, Inc.

Approval of the proposed preliminary plat will facilitate the development of 32 duplexes, a dog park, and a nature area.

PROPOSED ZONING

The property is currently not zoned. The proposed zoning district is Residential Single Family-Duplex Medium/High Density (RSD-3). The RSD-3 zoning district provides for medium to high density, compact single family detached and duplex development on new sites or as infill construction

PROPOSED LAND USES

Duplexes are proposed for lots 1-32. A dog park is proposed for Tract A and a nature area for Tract B. The developer proposes to convey Tract A to the City of Fort Smith and Tract B to the Arkansas Game and Fish Commission.

PROPOSED LOT SIZE

The proposed lots range in size from .18 acres (7,841 s.f.) to .37 acres (16,117.20 s.f.). The lot sizes exceed the minimum lot size of 6,500 s.f. required by the proposed RSD-3 zoning district.

PROPOSED SITE FEATURES

Landscaping – a 10' perimeter landscaping area is proposed adjacent to the public right-of-way, with the exception of the frontage on Tract B.

Sidewalks – 5' wide sidewalks are proposed on one side of all internal streets as required by the Unified Development Ordinance.

Signage – Signage is proposed at each entrance.

STAFF COMMENTS

As required by the Unified Development Ordinance, the plat proposes a 10' wide perimeter landscaping area planted with trees and shrubbery. The Chaffee Crossing Design Guidelines require a 20' wide perimeter landscaping buffer. However, the developer, ERC, recently determined that perimeter landscaping may not be possible due to the topography and utility

6A

easements. ERC plans to work closely with the city departments to finalize the landscaping plan. However, ERC may determine it's necessary to submit a future variance application to minimize and/or omit landscaping in some areas. A letter from Mary McGetrick, ERC's Preconstruction Manager is enclosed summarizing the issue.

Another landscaping issue pertains to Tract B, which is proposed as a nature area. ERC is working with the Arkansas Game and Fish Commission to deed this tract to the State. The landscaping plan does not propose perimeter landscaping on the frontage of the tract adjacent to Veterans Avenue. While the plat does not propose any residential development on Tract B, it is part of the plat. Staff requests the planning commission's concurrence to omit landscaping on Tract B with the condition that this property remain as an undisturbed nature area.

Also, a deferral for the development plan which includes landscaping is being requested for the proposed dog park that is shown on the plat.

We recommend approval of the preliminary plat with the following comments:

- 1) The developer must agree to meet all franchise and City utility easement requirements.
- 2) The preliminary and final plat must comply with the city's Subdivision Design and Improvement Standards Specifications for Public Works Construction.
- 3) All proposed signage will require submittal of a sign permit application for review and approval by city staff.
- 4) All proposed signage, walls, columns, etc, must be on private property and not within easements and the public right-of-way.
- 5) Planning Commission approval to omit perimeter landscaping on Tract B with the condition that Tract B is retained as an undisturbed natural area.
- 6) Board of Zoning Adjustment of any variances for any changes to the perimeter landscaping plan that would cause the landscaping to not be in compliance with the minimum requirements of the Unified Development Ordinance.

LB

Legend

Wells Lake Road

Stonecrest Addition

Veterans Avenue

Custer Boulevard

Nature Center

Wells Lake

Google earth

© 2016 Google

10000 ft





5102 South Pinnacle Hills Parkway
Rogers, AR 72956
www.erc.com

Planning Board Members,

ERC asks that members of the Board approve the proposed Stonecrest preliminary plat with final plat approval contingent upon a landscape plan approved by the City of Fort Smith. ERC has realized upon further review of the Stonecrest preliminary plat that the 10ft existing landscape buffer will not be achievable due to topography, various easements, and a wider than normal ROW in some areas. ERC plans to submit a revised landscape plan as well as possible variance applications from the landscape requirement at the next scheduled planning commission meeting if required where needed on the property. ERC has begun to work closely with the City of Fort Smith Planning Department and will continue to work closely with various City departments to come to an agreement on a final landscape plan.

Thank you,

A handwritten signature in black ink, appearing to read "Mary McNetrick", with a long, sweeping horizontal line extending to the right.

Mary McNetrick
Pre Construction Manager
ERC, 5102 S. Pinnacle Pkwy, Rogers, AR 72758

6E



5102 South Pinnacle Hills Parkway
Rogers, AR 72956
www.erc.com

Planning Board Members,

ERC proposes that tract A and B be deeded over to other organizations. ERC is currently working with the City of Fort Smith to deed Tract A to the City as a dog park. ERC is working with the Arkansas Game and Fish Commission to deed Tract B to that organization as a nature area. ERC will continue to work with these organizations to transfer this property as needed.

Thank you,

A handwritten signature in dark ink, appearing to read "Mary McGetrick", with a long, horizontal flourish extending to the right.

Mary McGetrick
Pre Construction Manager
ERC, 5102 S. Pinnacle Pkwy, Rogers, AR 72758

Memo

To: City Planning Commission

From: Planning Staff

Date: April 27, 2017

Re: Rezoning #9-5-17 - A request by ERC Holdings, Inc., agent, for Planning Commission consideration of a zone request from Not Zoned to Residential Single Family – Duplex Medium/High Density (RSD-3) by classification at 9101 and Custer Boulevard and 8206 Veterans Avenue

PROPOSED ZONING

The approval of this rezoning request will allow for the development of a 32 lot duplex development along with the future development of a dog park. The applicant has requested deferral of the development plan for the dog park.

LOT LOCATION AND SIZE

The subject property is on the north side of Custer Boulevard between Wells Lake Road and Veterans Avenue. The tract contains an area of 13.35 acres with approximately 432 feet of street frontage along Veterans Avenue, approximately 580 feet of street frontage along Wells Lake Road and approximately 752 feet of street frontage along Custer Boulevard.

REQUESTED ZONING

The existing zoning on this tract is Residential Single Family – Duplex Medium/High Density (RSD-3). Characteristics of this zone are as follows:

Purpose:

To provide for medium-to-high density, compact single family detached and duplex development on new sites or as infill construction. Adequate public services and facilities shall be available with sufficient capacity to serve the proposed development. This zoning district is intended to serve as a transition between the lower density single family-duplex districts and the multifamily or commercial districts. RSD-3 zoning is appropriate in urban and suburban areas and primarily applies to the Residential Attached, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

Permitted Uses:

Single-family, duplex dwellings and family group homes are examples of permitted uses.

Conditional Uses:

Commercial communication towers, amateur radio transmitting towers, golf course, utility substation, country club, parks, college, primary and secondary schools, preschool, nursery schools, police and fire stations, daycare homes and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 6,500 square feet
Maximum Density – 6.7 Dwelling Units/Acre
Minimum Lot Width at Building Line – 60 feet
Minimum Street Frontage – 20 feet
Front Yard Setback - 25 feet
Side Yard on Street Side of Corner Lot - 25 feet
Side Yard Setback – 7.5 feet
Rear Yard Setback - 10 feet
Minimum building separation – 10 feet

Maximum Height - 35 feet (1+1)
Maximum Lot Coverage - 60%

EXISTING ZONING

The property currently is not zoned.

SURROUNDING ZONING AND LAND USE

The area to the north is not zoned and undeveloped.

The area to the east is zoned Industrial Light (I-1) and developed as contractor's office. An area also to the east is not zoned and undeveloped.

The area to the south is not zoned and undeveloped.

The area to the west is not zoned and developed as a nature center.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Wells Lake Road as a Future Major Collector and Custer Boulevard as Future Major Collector and Major Arterial.

MASTER LAND USE PLAN COMPLIANCE

The Chaffee Crossing Future Land Use Plan classifies this site as Mixed Use: Residential/Commercial/Office. The proposed PZD will not conflict with the goals and objectives of the Chaffee Crossing Future Land Use Plan.

NEIGHBORHOOD MEETING

A neighborhood meeting was held Friday, April 21, 2017, at 4111 Massard Road. No surrounding property owners attended the meeting.

STAFF COMMENTS AND RECOMMENDATIONS

The requested zoning is compatible with the existing Chaffee Crossing land use classification which was approved by the Fort Chaffee Redevelopment Authority Board.

7B

PETITION FOR CHANGE IN ZONING MAP

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830, representing to the Planning Commission as follows:

1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)

2. Address of property: 9101 Custer Blvd / 8206 Veterans Ave.
3. The above described property is now zoned: NONE
4. Application is hereby made to change the zoning classification of the above described property to RSD3 by _____
(Extension or classification)
5. Why is the zoning change requested?
For development of residential homes. No zoning currently exists.

6. Submit any proposed development plans that might help explain the reason for the request.

Signed: Nicole Swenson

ERCHOLDINGS
Owner or Agent Name
(please print)

FCRA
Owner

ERC, 5102 S. Pinnacle Hills
Parkway, Rogers, AR 72758

Agent

ERC HOLDING

Owner or Agent Mailing Address

479-650-0523

Owner or Agent Phone Number

7C

Rezoning #9-5-17: From Not Zoned to Residential Single Family-Duplex Medium/High Density (RSD-3) 9101 Custer Boulevard

29

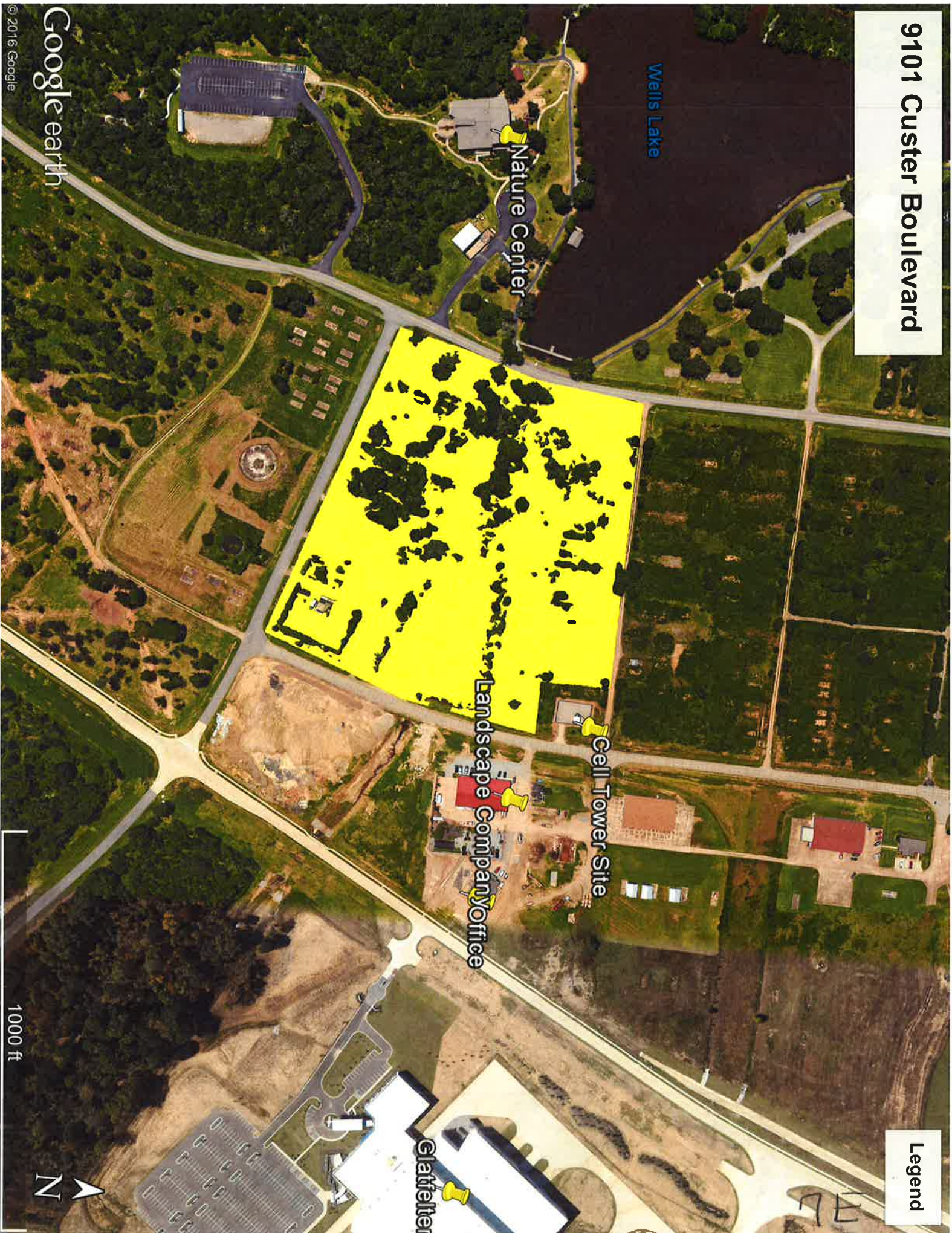
April 20, 2017

-  Fort Smith City Limits
-  Zoning
-  Subdivisions
-  Building Footprints
-  Parks



9101 Custer Boulevard

Legend



Google earth

© 2016 Google

1000 ft

N

Development Plan Deferral Request

Memo

To: City Planning Commission

From: Planning Staff

Date: May 4, 2017

Subject: Request for Development Plan Deferral –8206 Veterans Avenue

The Planning Department has received a request from ERC Holdings, agent for Fort Chaffee Redevelopment Authority, for Planning Commission consideration of a deferral of a development plan for a Dog Park at 8206 Veterans Avenue. The applicant is also in discussion with the City of Fort Smith about donating the property to the City.



5102 South Pinnacle Hills Parkway
Rogers, AR 72956
www.erc.com

Brenda Andrews
Fort Smith Planning
Dept. 623 Garrison
Ave; Room 331 Fort
Smith, AR 72901

RE: Stonecrest Addition Tract A, 8206 Veterans Ave

Mrs. Andrews:

We would like to request that the development plan for the proposed Dog Park on Tract A be deferred until further design plans are produced.

Respectfully,

A handwritten signature in cursive script that reads 'Nicole Swanson'.

Nicole Swanson



5102 South Pinnacle Hills Parkway
Rogers, AR 72956
www.erc.com

Planning Board Members,

ERC proposes that tract A and B be deeded over to other organizations. ERC is currently working with the City of Fort Smith to deed Tract A to the City as a dog park. ERC is working with the Arkansas Game and Fish Commission to deed Tract B to that organization as a nature area. ERC will continue to work with these organizations to transfer this property as needed.

Thank you,

A handwritten signature in dark ink, appearing to read "Mary McGetrick", followed by a long, horizontal, slightly wavy line that extends to the right.

Mary McGetrick
Pre Construction Manager
ERC, 5102 S. Pinnacle Pkwy, Rogers, AR 72758

Master Land Use Plan Amendment

Memo

To: City Planning Commission

From: Planning Staff

Date: April 27, 2017

Re: Proposed Master Land Use Plan Amendment by Al Prieur, agent for Bryan and Sara Goodwin, at 3027 South 66th Street from Residential Attached/Commercial Neighborhood to Residential Attached

The Planning Department is in receipt of an application from Al Prieur, agent, to amend the Master Land use Map from Residential Attached/Commercial Neighborhood to Residential Attached to accommodate a proposed Residential Multifamily Medium Density (RM-3) zoning request for a multifamily development. The subject property is on the east side of South 66th Street between Boston Street and Dallas Street. The tract contains an area of 3.5 acres with approximately 132 feet of street frontage along South 66th Street.

The property is currently zoned Transitional (T) and Commercial Heavy (C-5). A companion zoning application requests a (RM-3) zoning district. The Master Land use Plan is a guide to zoning and development and must be considered with the companion application.

ADJACENT LAND USE CLASSIFICATIONS AND USES

Land Use classifications and uses contiguous to the subject site are as follows:

The area to the north is classified as General Commercial, Commercial Neighborhood and Residential Attached and developed as a retail shopping center and multifamily development.

The area to the east is classified as General Commercial and developed as a doctor's office and clinic and an indoor amusement center.

The area to the south is classified as Residential Attached and Commercial Neighborhood and developed as a single family residence and government office.

The area to the west is classified as Residential Attached and is developed as a single family development.

The proposed Land Use classification of Residential Attached provides for diverse populations and households, by supporting variety and options in living environments, and housing, while protecting and improving property values.

9A

Characteristics and Use:

Criteria for Designation:

Compliance Noted

- | | |
|--|------------|
| • Compatible with and complimentary to surrounding uses. | YES |
| • Located on high volume arterials and collectors | YES |
| • Located as a cluster of like services | YES |
| • Accessible by most modes of transportation | YES |
| • Appropriately located for minimum impact of adjacent uses, and, by volume of activity and trips generated by use | YES |

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Residential Attached/Commercial Neighborhood. The Commercial Neighborhood classification is intended to provide convenience goods and services in a residentially compatible design, for surrounding neighborhoods, and to provide appropriate uses for sites on arterials and collectors unsuitable for residential development due to lot configuration, safety and noise.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies South 66th Street as a Major Collector.

NEIGHBORHOOD MEETING

A neighborhood meeting was held on Thursday, April 27, 2017, at 11:00 a.m. on site.

One neighboring property owner was present at the meeting with concerns about crime rate increases and property values. The meeting attendance record and meeting summary are enclosed.

STAFF COMMENTS AND RECOMMENDATIONS

The proposed master land use plan amendment appears to be compatible with surrounding master land use plan classifications and existing land uses.

**ALVIN L. PRIEUR, JR., PE
CONSULTING ENGINEER
P. O. BOX 1689
VAN BUREN, ARKANSAS 72957
479-651-7920
aprieur@cox.net**

April 28, 2017

City of Fort Smith
Planning Department
P O Box 1908
Fort Smith, Arkansas 72902

Attn: Tom Monaco

Re: Neighborhood meeting

Dear Tom:

Attached is the sign in sheet from the neighborhood meeting of April 27, 2017. There were five people in attendance. A neighbor's problem was that this type of development would bring more low class people to the area. She said the area had a lot of criminal activities and slow police response.

I had several calls wanting to know what was happening on the property. One said there were too many apartments in the area.

Respectfully submitted,



Alvin L. Prieur, Jr., PE
Consulting Engineer



9C

ATTENDANCE LIST FOR NEIGHBORHOOD MEETING

List the names, addresses & telephone numbers of all residents/property owners who attended the meeting.

Meeting Location On-site

Meeting Time & Date 11:00 4-27-2017

Meeting Purpose To discuss request.

	<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE #</u>
1.	<u>APP</u>	<u>P.O. Box 1689 VB 71951</u>	<u>779-651-7920</u>
2.	<u>JOE MONACO</u>		<u>784-7218</u>
3.	<u>Bryan Dufresne</u>		<u>651-7321</u>
4.	<u>DETT HOWARD</u>		<u>651-8853</u>
5.	<u>Alexia Wells</u>		<u>479-926-1491</u>
6.			
7.			
8.			
9.			
10.			
11.			

Application Type

☒ Minor Amendment ☐ Standard Amendment ☐ Major Amendment
(See Section 27-328-5 C. (Criteria))

Request to Amend Map ☒ Request to Amend Text ☐

Applicant Name: <u>Alvin L. Prieur, Jr.</u>	
Firm Name: <u>Consulting Engineer</u>	
Address: <u>P.O. Box 1689 Van Buren, AR 72957</u>	
Phone # (day): <u>479-651-7200</u>	Phone # (cell): <u>479-651-7928</u> Fax #: <u>479-434-2303</u>
Owner Name: <u>Bryan Goodwin</u>	
Owner Address: <u>3503 Free Ferry Road Fort Smith, AR 72903</u>	
Phone # (day): <u>479-651-7321</u>	Phone # (cell): Fax #:
Property Address (subject property): <u>3027 South 66th</u>	
Subject Property	
Current Land Use: <u>Vacant Lot</u>	
Existing MLUP Classification: <u>Commercial Neighborhood / Residential Attached</u>	
Proposed MLUP Classification: <u>Residential Attached</u>	
Existing Zoning Classification: <u>T</u>	
Proposed Zoning Classification: <u>RM-3</u>	
Surrounding Property	
Current Land Use: north- <u>Apartments / Duplex</u>	
south- <u>Resident</u>	
east- <u>Vacant</u>	
west- <u>Resident</u>	
Existing MLUP Classification: north: <u>Residential Detached / Commercial Neigh.</u>	
south: " " " "	
east: <u>Residential Attached</u>	
west: <u>Residential Detached</u>	
Existing Zoning Classification: north: <u>T</u>	
south: <u>T</u>	
east: <u>C-C</u>	
west: <u>RM-3</u>	
Pre-Application Meeting Date:	

For a Minor, Standard or Major Master Land Use Plan Amendment, please attach the following information and answer the questions below. You may provide answers on a separate sheet and attach it to this application:

9E

1. A legal description of the subject property that is to be amended (reclassified). *Attached*
2. A map of the property which includes the scaled distance, legal description, and general vicinity map inset showing the property's location. *Attached*
3. The area dimensions of the property in square feet or acres. *2 Acres*
4. Describe existing road conditions and new roads to be included in the development and the effect of the proposed development on existing roads and traffic conditions:

66th Street is an asphalt street in good condition
New driveways on site

5. Describe the existing public utility services and infrastructure (such as water, sewer, fire/police) which are available to the property and the source/method of providing additional utilities and infrastructure to the property if necessary:

Existing utilities are okay and adequate

6. Provide a statement of the proposed build-out density and maximum potential build-out density (units per acre) permitted by the proposed land use classification:

The property will have 13 units/acre

7. Identify any known or anticipated environmental concerns:

None

For a Standard or Major Master Land Use Plan Amendment only, please attach the following additional information and answer the questions below. You may provide answers on a separate sheet and attach it to this application:

8. An analysis of the impact of the amendment on surrounding properties and plans in terms of:

Certification

Once an application has been deemed complete, the applicant shall not modify it unless requested or agreed upon by the Planning Department. Should the applicant request a modification to the application after it has been advertised for public hearing, it shall be at the discretion of the Planning Commission to review or continue the application. A re-advertising fee may be required.

I, the undersigned applicant, hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief. I grant the appropriate City personnel permission to enter the subject property during reasonable hours so that they may investigate and review this application.



Signature (Agent/Owner)

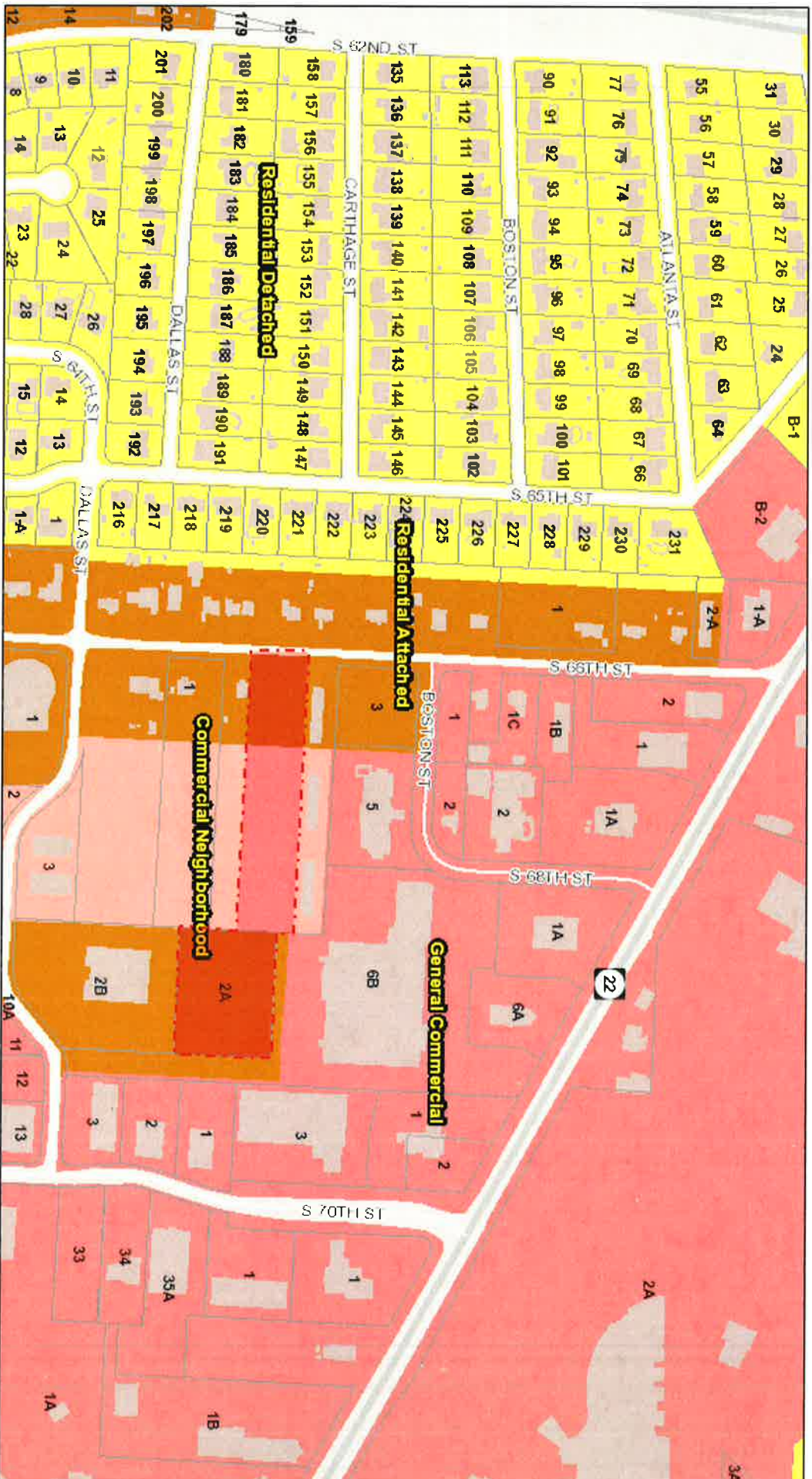
4.17.2017

Date

The City of Fort Smith requires complete applications. If your application does not include all of the information required for submission, it will not be processed.

Master Land Use Amendment: From Residential Attached & Commercial Neighborhood to Residential Attached at 3027 South 66th Street

Handwritten signature/initials.



- Fort Smith City Limits
- Subdivisions
- Building Footprints

3027 South 66th Street

Legend

Residential

Residential

Existing Apartments

Hotel

Bank

Shopping Center

Social Security Office

Church

Mercy Medical

Lin's Garden

Post Office

Google earth

© 2016 Google

1000 ft



Memo

To: City Planning Commission

From: Planning Staff

Date: April 27, 2017

Re: Rezoning #10-5-17 - A request by Al Prieur, agent for Bryan and Sara Goodwin, for Planning Commission consideration of a rezoning request from Transitional (T) and Commercial Heavy (C-5) to Residential Multifamily Medium Density (RM-3) by extension at 3027 South 66th Street

PROPOSED ZONING

Approval of the rezoning and companion Master Land Use Amendment will facilitate the development of a multifamily development. The applicant has requested a deferral of the development plan application.

LOT LOCATION AND SIZE

The subject property is on the east side of South 66th Street between Boston Street and Dallas Street. The tract contains an area of 3.5 acres with approximately 132 feet of street frontage along South 66th Street.

REQUESTED ZONING

The proposed zoning on this tract is Residential Multifamily Medium Density (RM-3). Characteristics of this zone are as follows:

Purpose:

To provide for medium density attached homes, including multi-unit residential buildings in areas where such development already exists or is planned for the future. The RM-3 zoning district is appropriate in urban areas within the Residential Attached, Mixed Use Residential, Mixed Use Employment, Commercial Neighborhood, and General Commercial Land use categories of the Master Land Use Plan.

Permitted Uses:

Single-family, duplex dwellings, multifamily (apartment and condominiums), community residential facility, family and neighborhood group homes and retirement housing are examples of permitted uses.

Conditional Uses:

Assisted living, bed and breakfast inn, dormitory, sorority, fraternity, rooming or boarding house, commercial communication towers, amateur radio transmitting towers, community recreation center, golf course, utility substation, country club, parks, college, primary and secondary schools, preschool, nursery schools, police and fire stations, daycare homes, senior citizen center, churches and rectory, convent, monastery are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 6,500 square feet	Maximum Height - 40 feet (1+1)
Maximum Density – 20 Dwelling Units/Acre	Maximum Lot Coverage - 65%
Minimum Lot Width at Building Line – 60 feet	
Minimum Street Frontage – 20 feet	
Front Yard Setback - 25 feet	
Side Yard on Street Side of Corner Lot - 15 feet	
Side Yard Setback – 7.5 feet	
Rear Yard Setback - 10 feet	
Side/Rear adjacent to RS district/development – 30 feet	
Minimum building separation – 10 feet	

EXISTING ZONING

The site is currently zoned Commercial Heavy (C-5) and Transitional (T). The zoning characteristics of each zone is as follows.

TRANSITIONAL

Purpose:

To provide small scale areas for limited office, professional service, and medical services designed in scale with surrounding residential uses. The transitional zoning district applies to the Residential Attached, Institutional, Neighborhood Commercial and General Commercial categories of the Master Land Use Plan.

Permitted Uses:

Single family detached, duplexes, family group home, retirement housing, bridal shop, banking establishments and offices are examples of permitted uses.

Conditional Uses:

Assisted living, bed & breakfast inn, utility substation, country club, park or playground, college, library, primary and secondary school, business professional schools, fire and rescue station, emergency response station, police substation, diagnostic laboratory testing facility, hospital, daycare homes, substance abuse treatment facility, senior citizen center and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 5,000 square feet	Maximum Height - 35 feet (1+1)
Maximum Lot Size – 40,000 square feet	Maximum Lot Coverage - 65%
Minimum Lot Width at Building Line – 50 feet	
Minimum Street Frontage – 50 feet	
Front Yard Setback - 20 feet	
Side Yard on Street Side of Corner Lot - 20 feet	
Side Yard Setback – 5 feet	
Rear Yard Setback - 10 feet	
Minimum building separation – 10 feet (residential), non residential to be determined by current City building and fire code.	

COMMERCIAL HEAVY

Purpose:

To provide adequate locations for retail uses and services that generate moderate to heavy automobile traffic. The C-5 zoning district is designed to facilitate convenient access, minimize traffic congestion, and reduce visual clutter. The C-5 zoning district is appropriate in the General Commercial, Office, Research, and Light Industrial, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

Permitted Uses:

A wide variety of retail uses including clothing stores, specialty shops and restaurants. Commercial-5 zones also allow professional offices and multi-family apartments, community residential facility and neighborhood group homes are examples of permitted uses.

Conditional Uses:

Orphanage, dormitory, sorority, fraternity, auto vehicle impoundment or holding yard, auto body shop, medical laboratory, beer garden, restaurants with outdoor dining, pet cemetery, bus station, utility substations, museum, parks, educational facilities, police station, community food service, nursing home and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 14,000 square feet	Maximum Height - 45 feet (1+1)
	Maximum Lot Coverage - 75%
Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 2 acres	
	Existing District (By Extension) – 14,000 square feet
Minimum Lot Width – 100 feet	
Front Yard Setback - 25 feet	
Side Yard on Street Side of Corner Lot - 15 feet	
Side Yard Setback – 20 feet	
Rear Yard Setback - 20 feet	
Side/Rear (adjoining SF Residential District/Development) – 30 feet	
Minimum building separation – to be determined by current City building and fire code.	
Required street access – Minor Arterial or higher	

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Transitional (T) and Commercial Heavy (C-5) and developed as a retail shopping center and multifamily development.

The area to the east are zoned Commercial Heavy (C-5) developed as a doctor's office and clinic and an indoor amusement center.

The area to the south is zoned Transitional (T) and Commercial Heavy (C-5) and developed as a single family residence and government office.

The area to the west is zoned Residential Multifamily Medium Density (RM-3) and developed as single family residences.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies South 66th Street as a Major Collector.

MASTER LAND USE PLAN COMPLIANCE

The current master land use plan classification of the property is Residential Attached and Commercial Neighborhood. A separate application to amend the master land use plan to change all the property to Residential Attached has been submitted for Planning Commission review.

NEIGHBORHOOD MEETING

A neighborhood meeting was held on Thursday, April 27, 2017, at 11:00 a.m. on site.

One neighboring property owner was present at the meeting with concerns about crime rate increases and property values. The meeting attendance record and meeting summary are enclosed.

STAFF COMMENTS AND RECOMMENDATIONS

The proposed rezoning seems to be compatible with surrounding land uses. Planning Commission approval of the rezoning should be contingent on the approval of the request to amend the Master Land Use Plan.

**ALVIN L. PRIEUR, JR., PE
CONSULTING ENGINEER
P. O. BOX 1689
VAN BUREN, ARKANSAS 72957
479-651-7920
aprieur@cox.net**

April 28, 2017

City of Fort Smith
Planning Department
P O Box 1908
Fort Smith, Arkansas 72902

Attn: Tom Monaco

Re: Neighborhood meeting

Dear Tom:

Attached is the sign in sheet from the neighborhood meeting of April 27, 2017. There were five people in attendance. A neighbor's problem was that this type of development would bring more low class people to the area. She said the area had a lot of criminal activities and slow police response.

I had several calls wanting to know what was happening on the property. One said there were too many apartments in the area.

Respectfully submitted,



Alvin L. Prieur, Jr., PE
Consulting Engineer



10E

ATTENDANCE LIST FOR NEIGHBORHOOD MEETING

List the names, addresses & telephone numbers of all residents/property owners who attended the meeting.

Meeting Location On-site

Meeting Time & Date 11:00 4-27-2017

Meeting Purpose To discuss request.

	<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE #</u>
1.	<u>APP-1</u>	<u>P.O. Box 1689 VB 71957</u>	<u>779-651-7920</u>
2.	<u>JOE MONACO</u>		<u>784-2218</u>
3.	<u>Bryan Dufresne</u>		<u>651-7321</u>
4.	<u>DETT HOWARD</u>		<u>651-8853</u>
5.	<u>Alison Wells</u>		<u>479-926-1491</u>
6.			
7.			
8.			
9.			
10.			
11.			

PETITION FOR CHANGE IN ZONING MAP

Rez. # 10-5-17

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830, representing to the Planning Commission as follows:

1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)

See Attached.

2. Address of property: 3027 South 66th & 6715 Dallas
3. The above described property is now zoned: T & C-5
4. Application is hereby made to change the zoning classification of the above described property to RM-3 by Extension.
(Extension or classification)
5. Why is the zoning change requested?
To allow the construction of townhouses
on this property.
6. Submit any proposed development plans that might help explain the reason for the request.

Signed:

Alvin L. Prieur, Jr.

~~Owner~~ or Agent Name
(please print)

P.O. Box 1689

Van Buren, AR 72957

~~Owner~~ or Agent Mailing Address

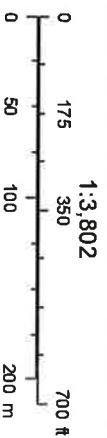
479. 651-7920

~~Owner~~ or Agent Phone Number

Owner

or
[Signature]
Agent

106

$10H$ 

3027 South 66th Street

Legend

Residential

Existing Apartments

Hotel

Bank

Shopping Center

Residential

Social Security Office

Church

Mercy Medical
Lin's Garden

Post Office

Google earth

© 2016 Google

1000 ft



Development Plan Deferral Request

Memo

To: City Planning Commission

From: Planning Staff

Date: May 5, 2017

Subject: Request for Development Plan Deferral –3027 South 26th Street

The planning department has received a request from Al Prieur, agent for Bryan and Sara Goodwin, for Planning Commission consideration of a deferral of a development plan for a proposed multifamily development at 3027 South 66th Street. The applicant has requested a rezoning from Transitional (T) and Commercial Heavy (C-5) to Residential Multifamily Medium Density (RM-3) by extension and a Master Land Use Plan Amendment from Commercial Neighborhood/Residential Attached to Residential Attached to accommodate a proposed multi-family development. At this time, a development plan has not been finalized.

Approval of the deferral will require a development plan be submitted to the Planning Commission for approval prior to the issuance of any building permits for the property.

**ALVIN L. PRIEUR, JR., PE
CONSULTING ENGINEER
P. O. BOX 1689
VAN BUREN, ARKANSAS 72957
479-651-7920
aprieur@cox.net**

April 18, 2017

City of Fort Smith
Planning Department
P O Box 1908
Fort Smith, Arkansas 72902

Attn: Tom Monaco

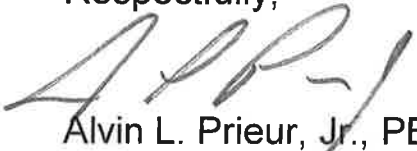
Re: Site Plan

Dear Tom:

This is to request that the site plan approval for Mr. Bryan Goodwin project at 3027 South 66th Street be delayed until the June planning commission meeting.

If you have any questions, please call me.

Respectfully,


Alvin L. Prieur, Jr., PE
Consulting Engineer

Conditional Use

Memo

To: City Planning Commission

From: Planning Staff

Date: April 24, 2017

Re: Conditional Use #9-5-17 - A request by Ron Brixey, agent for Joseph Sprague, for Planning Commission consideration of a Conditional Use request for an addition of 36 statues for a church located at 5201 Virginia Avenue.

PROPOSED CONDITIONAL USE

Approval of the conditional use will allow for the existing temple to erect 36 statues ranging in height from 6 feet to 30 feet.

LOT LOCATION AND SIZE

The subject property is on the north side of Virginia Avenue at the end of North 52nd Street. The tract contains an area of 3.05 acres.

EXISTING ZONING

The existing zoning on this tract is Residential Multifamily Medium Density (RM-3). Characteristics of this zone are as follows:

Purpose:

To provide for medium density attached homes, including multi-unit residential buildings in areas where such development already exists or is planned for the future. The RM-3 zoning district is appropriate in urban areas within the Residential Attached, Mixed Use Residential, Mixed Use Employment, Commercial Neighborhood, and General Commercial Land use categories of the Master Land Use Plan.

Permitted Uses:

Single-family, duplex dwellings, multifamily (apartment and condominiums), community residential facility, family and neighborhood group homes and retirement housing are examples of permitted uses.

12A

Conditional Uses:

Assisted living, bed and breakfast inn, dormitory, sorority, fraternity, rooming or boarding house, commercial communication towers, amateur radio transmitting towers, community recreation center, golf course, utility substation, country club, parks, college, primary and secondary schools, preschool, nursery schools, police and fire stations, daycare homes, senior citizen center, churches and rectory, convent, monastery are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 6,500 square feet	Maximum Height - 40 feet (1+1)
Maximum Density – 20 Dwelling Units/Acre	Maximum Lot Coverage - 65%
Minimum Lot Width at Building Line – 60 feet	
Minimum Street Frontage – 20 feet	
Front Yard Setback - 25 feet	
Side Yard on Street Side of Corner Lot - 15 feet	
Side Yard Setback – 7.5 feet	
Rear Yard Setback - 10 feet	
Side/Rear adjacent to RS district/development – 30 feet	
Minimum building separation – 10 feet	

SURROUNDING ZONING AND LAND USE

The surrounding areas are zoned Residential Multifamily Medium Density (RM-3) and developed as single family residences.

PURPOSE OF CONDITIONAL USE

Certain uses are defined as conditional uses because of the potential harmful effects the use can cause to nearby properties and because the requirements to eliminate harmful effects vary from site to site. In considering conditional uses, the Planning Commission will review the overall compatibility of the planned use with the surrounding property as well as specific items such as screening, parking, and landscaping to make sure that no harmful effects occur to nearby properties.

CONDITIONS FOR A CONDITIONAL USE

All requirements for a Conditional Use must be met before any part of the use may be utilized. If any specific condition is not met, the Conditional Use authorization may be revoked by the City of Fort Smith pursuant to Section 27-314.

Requirements for a Conditional Use must begin to be met within one (1) year of the authorization unless a special time limit has been imposed by the Planning Commission. An extension of time beyond one (1) year or that imposed by the Planning Commission may be granted by the Director one (1) time for up to ninety (90) days.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Virginia Avenue and North 52nd Street as local roads.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Residential Detached. This classification is intended to create and maintain stable neighborhoods, provide safe, attractive family environments, and protect property values.

SITE DESIGN FEATURES

Ingress/egress/traffic circulation – All ingress and egress will occur on the existing driveway that starts and ends on North 52nd Street.

Easement/utilities – N/A

Drainage – N/A.

Right-of-way dedication – N/A.

Multi-Use bike path – N/A

Landscaping – No new landscaping is proposed for the development.

Screening – The new privacy fence will screen the north and west sides of the property.

Parking – Eighteen (18) parking spaces were installed during the building permit process to comply with the minimum number of parking spaces.

Signage – No new signage is proposed at this time.

Lighting – No new lighting is proposed at this time.

Setbacks – The building is currently existing.

Architectural features – No new architectural features are proposed.

Height and Area – The building is an existing building.

NEIGHBORHOOD MEETING

A neighborhood meeting was held Wednesday, April 26, at 4701 Windsor Drive at 4:30 P.M. No neighboring property owners attended.

STAFF COMMENTS AND RECOMMENDATIONS

The applicant is requesting to install 36 religious statues on site. One of the religious statues is 30 feet tall and the others range in height from 6 feet to 11 feet. If the Planning Commission is inclined to approve the application staff recommends it be contingent upon the following:

1. Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those

12C

described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.

2. The existing off-site sign located on Virginia Avenue is permitted to remain. Face changes shall be permitted. Other changes to sign shall require planning commission approval.
3. The new gate, electric or manual, shall be accessible by the Fire Department with a Knox box for a manual gate or an approved sensor for an electric gate.

Conditional Use # 9-5-17

APPLICATION FOR CONDITIONAL USE

Name of Property Owner: Kimberly & Tony Nguyen etal

Name of Authorized Agent (if applicable) Ron Brixey

Legal Description of property included in the conditional use request:

Lot 2, Moore Acres

Street Address of Property:

5201 Virginia Avenue Fort Smith AR

Existing Zoning Classification:

RM-3 Residential Multifamily Medium Density

Proposed Zoning Classification (if applicable):

No Change

Describe Proposed Conditional Use Request, including the development of any construction proposed of the property:

Erect 36 religious statues on Buddhist Church property. Construct privacy fence along west and north property lines. Install wrought iron gate across entry drive.

What amenities are proposed such as landscaping and screening?

Privacy fence will screen north and west sides.

RON BRIXEY
Owner or Agent Name (please print)

Signed:

5223 E. HWY. 45, FORT SMITH, AR
Owner or Agent Mailing Address 72916 Owner

Or

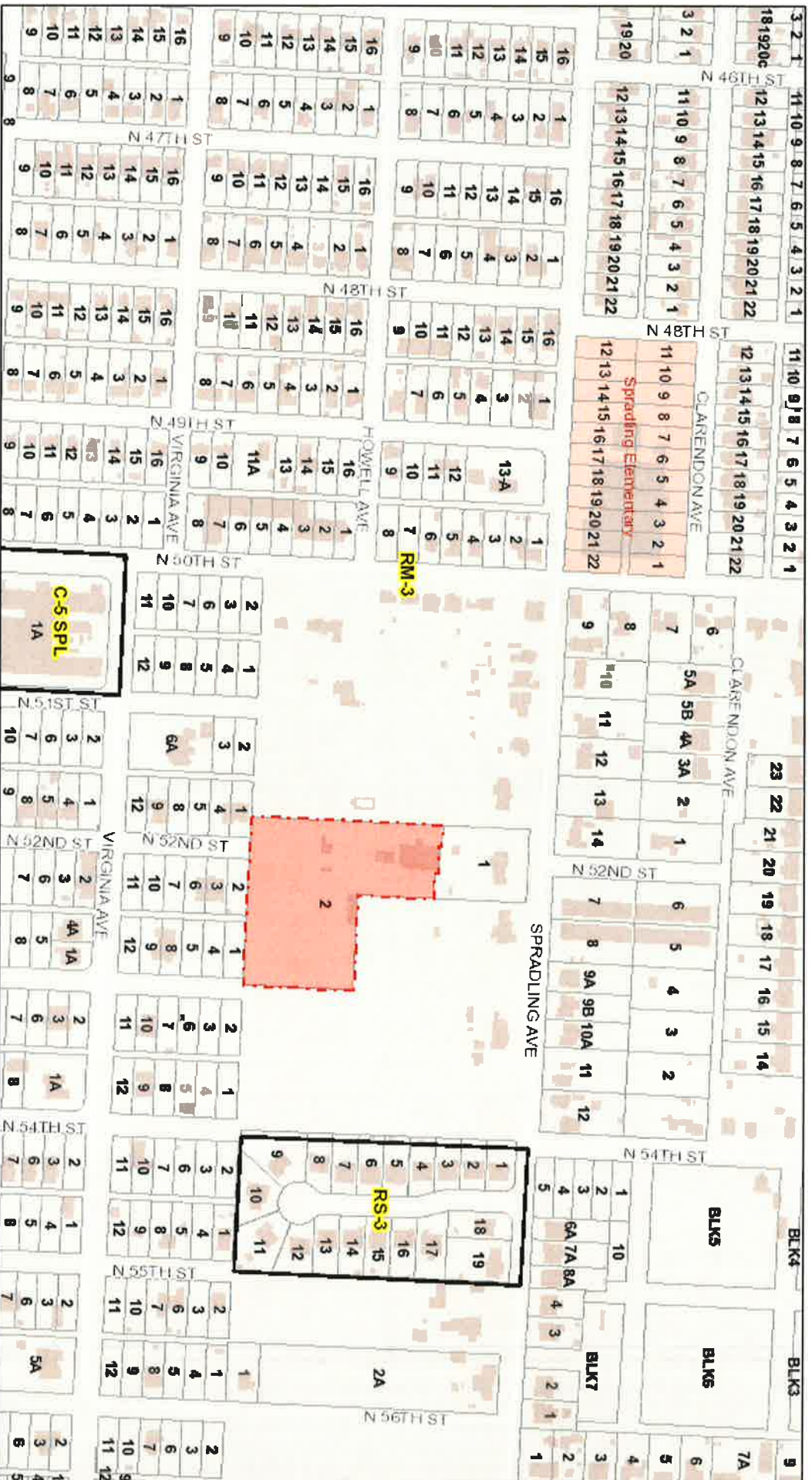
479-650-3400
Owner or Agent Phone Number

Ron Brixey
Agent

12E

Conditional Use #9-5-17: religious statutes, privacy fence and wrought iron gate 5201 Virginia Avenue

12F



April 20, 2017

- ☐ Fort Smith City Limits
- ☐ Zoning
- ☐ Subdivisions
- ☐ Building Footprints
- ☐ Parks



5201 Virginia Avenue

Legend



Residential

Church

Residential

Church Parking Lot

Residential

Google earth

© 2016 Google

400 ft





Height: 30'
Width: 7'



Memo

To: City Planning Commission

From: Planning Staff

Date: April 27, 2017

Re: Variance #14-5-17 - A request by Jeff Lee, agent, for Board of Zoning Adjustment consideration of a zoning variance request from Section 27-601-4(C)2 requiring 51% high quality materials at 3800 Kelley Highway

REQUESTED VARIANCE

The applicant is requesting to use exposed fastener R-panel steel panels on the proposed building.

LOT LOCATION AND SIZE

The subject property is on the south side of Kelley Highway at the intersection of North 38th Street. The tract contains an area of 6.21 acres with approximately 342 feet of street frontage along Kelley Highway.

EXISTING ZONING

The existing zoning on this tract is Commercial Regional (C-4).
Characteristics of this zone are as follows:

Purpose:

To provide for the development of large shopping centers, mixed use developments, entertainment venues, and other appropriate land uses that serve the broad retail, commercial, and entertainment needs of the metropolitan area. The C-4 zoning district is appropriate in the Regional Center, General Commercial, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

Permitted Uses:

A wide variety of retail uses including clothing stores, specialty shops and restaurants. Commercial-4 zones also allow professional offices and multi-family apartments, community residential facility and neighborhood group homes are examples of permitted uses.

Conditional Uses:

Orphanage, dormitory, sorority, fraternity, bicycle sales and service, beer, wine and liquor store, convenience store, restaurants with outdoor dining, pet cemetery, parking garage, utility substations, event center, community recreation center, golf course, parks, educational facilities, police station, nursing home and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 40,000 square feet	Maximum Height - 45 feet (1+1)
	Maximum Lot Coverage - 80%
Minimum Parcel/Lot Size for Rezoning – New District (By Classification) - 10 acres	
	Existing District (By Extension) – 3 acres
Minimum Lot Width – 150 feet	
Front Yard Setback - 25 feet	
Side Yard on Street Side of Corner Lot - 20 feet	
Side Yard Setback – 20 feet	
Rear Yard Setback - 20 feet	
Side/Rear (adjoining SF Residential District/Development) – 100 feet	
Minimum building separation – to be determined by current City building and fire code.	
Required street access – Major Arterial or higher	

SURROUNDING ZONING AND LAND USE

The area to the north is zoned Residential Multifamily Medium Density (RM-3) and is developed as residential.

The area to the east is zoned Commercial Regional (C-4) and is developed as the maintenance yard for the city of Fort Smith.

The area to the south is zoned Residential Single Family Medium/High Density (RS-3) and is developed as residential.

The area to the west is zoned Commercial Regional (C-4) and is developed as a church.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Kelley Highway as Major Arterial.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Mixed-Use-E and Institutional. This classification is to provide for a dense, compatible mix of retail, residential, employment and production activities designed for all modes of transportation and to provide for needed community services of both a public and quasi-public nature.

APPLICANT HARDSHIP

The applicant states that the proposed building is an accessory building to the main building and would be required to look different from all other buildings on the lot.

NEIGHBORHOOD MEETING

A neighborhood meeting was held Monday, May 1, 2017 at 4701 Windsor Drive (Windsor Branch Library). No surrounding property owners attended the meeting.

GRANTING OF A VARIANCE

If the BZA approves this variance, staff requests that it substantiate its reason for approval in accordance with Section 27-337-2 of the Unified Development Ordinance, which permits the granting of a variance only when it is demonstrated that such action is in keeping with the spirit and intent of the provisions of the zoning chapter.

STAFF COMMENTS

The proposed addition will allow the Humane Society to construct a building housing an additional 43 kennels. If approved, it will replace an existing pre-engineered metal building. The location of the proposed building is such that it is not visible from the right-of-way or from adjacent properties.

Var. #14-5-17

APPLICATION FOR VARIANCE

Notice is hereby given that the undersigned, as owner(s) of the following property in the Fort Smith District of Sebastian County, Arkansas, to-wit: (Legal Description)

Part of Lot 1A1, Seb. Co. Humane Society Add'n, Fort Smith, AR

Address of property 3800 KELLEY HWY, Existing or Proposed

Zoning Classification C-4, has filed with the Planning Department a written application pursuant to Article 5-6 of Ordinance 2324 of the City of Fort Smith, Arkansas, to secure a variance from the literal provisions of the zoning ordinance as follows:

Office Use Only-List the Specific Variance Requested and Applicant Stated Hardship

<u>FROM</u>		<u>TO</u>
_____	-	_____ Front Yard Setback or Minimum Distance from Right-of-Way
_____	-	_____ Exterior Side Yard Setback
_____	-	_____ Interior Side Yard Setback
_____	-	_____ Rear Yard Setback
_____	-	_____ Maximum Height of Structure
_____	-	_____ Minimum Distance Between Structures on the Same Lot
_____	-	_____ Minimum Lot Area (Square Feet)
_____	-	_____ Minimum Lot Frontage
_____	-	_____ Maximum Size of a Sign
<u>51%</u>	-	<u>0%</u> Other: <u>Decorative Wall Panels</u>

The undersigned will present said application to the Board of Zoning Adjustment at the first regular City Planning Commission meeting following the expiration of seven (7) days from the date of this publication, at which meeting the Board of Zoning Adjustment will conduct a public hearing on

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said application. All interested persons are invited to attend and are entitled to be heard. This notice is published this _____ day of _____, 20_____.

Signed:

JEFF LEE

Owner or Agent Name *(please print)*

Owner

or

Jeff Lee

Agent

479-629-5181

Owner or Agent Phone Number

3409 Village Rd
Ft. Smith, AR 72903

Owner or Agent Mailing Address

Variance # _____

VARIANCE INFORMATION FORM

The following paragraph (Section 27-337-2) of the Fort Smith Unified Development Ordinance defines the criteria for granting a variance:

The Board of Zoning Adjustment shall hear requests for variances from the literal provision of the zoning chapter in instances where strict enforcement of the zoning chapter would cause undue hardship due to circumstances unique to the individual property under consideration, and shall grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the zoning chapter. The Board of Zoning Adjustment shall not permit, as a variance, any use in a zone that is not permitted under the chapter. The Board of Zoning Adjustment may impose conditions in the granting of a variance to insure compliance and to protect adjacent property.

1. To aid the Board of Zoning Adjustment in arriving at a decision on your application, please note the lot information requested and check the appropriate answer to each of the questions that follow.

<u>Yes</u>	<u>No</u>	
<u> </u>	<u> X </u>	Is this variance needed because of previous actions taken by yourself?
<u> </u>	<u> X </u>	Is this variance needed because of previous actions taken by a prior owner?
<u> X </u>	<u> </u>	A zoning hardship is present only when a property has no reasonable use without a variance. Do you have use of your property without a variance?
<u> X </u>	<u> </u>	Is the variance needed due to the unique circumstances of the property (such as lot area, lot width, setbacks, yard requirements, or building height)? If yes, please explain on the following page.
<u> </u>	<u> X </u>	Is the lot of an odd or unusual shape?
<u> </u>	<u> X </u>	Does the lot have "radical" topography (steep, unbuildable slopes - streams or bodies of water - unstable or eroded area)?
<u> </u>	<u> X </u>	Does the lot contain required easements other than those that might be located on its perimeter?
<u> </u>	<u> X </u>	Is any part of the lot in a flood plain or flood way?
<u> </u>	<u> X </u>	Is the lot smaller than minimum lot area or minimum frontage for its zoning classification?
<u> X </u>	<u> </u>	Is the lot developed with structures in violation of current zoning requirements?
<u> X </u>	<u> </u>	Does the lot front any street classified as an arterial or collector on the Master Street Plan?

Explanation of question #4 (if applicable)

This new building will be a unit which houses 43 new kennels. It is an accessory building to the main building. It will not be visible to Kelley Hwy.

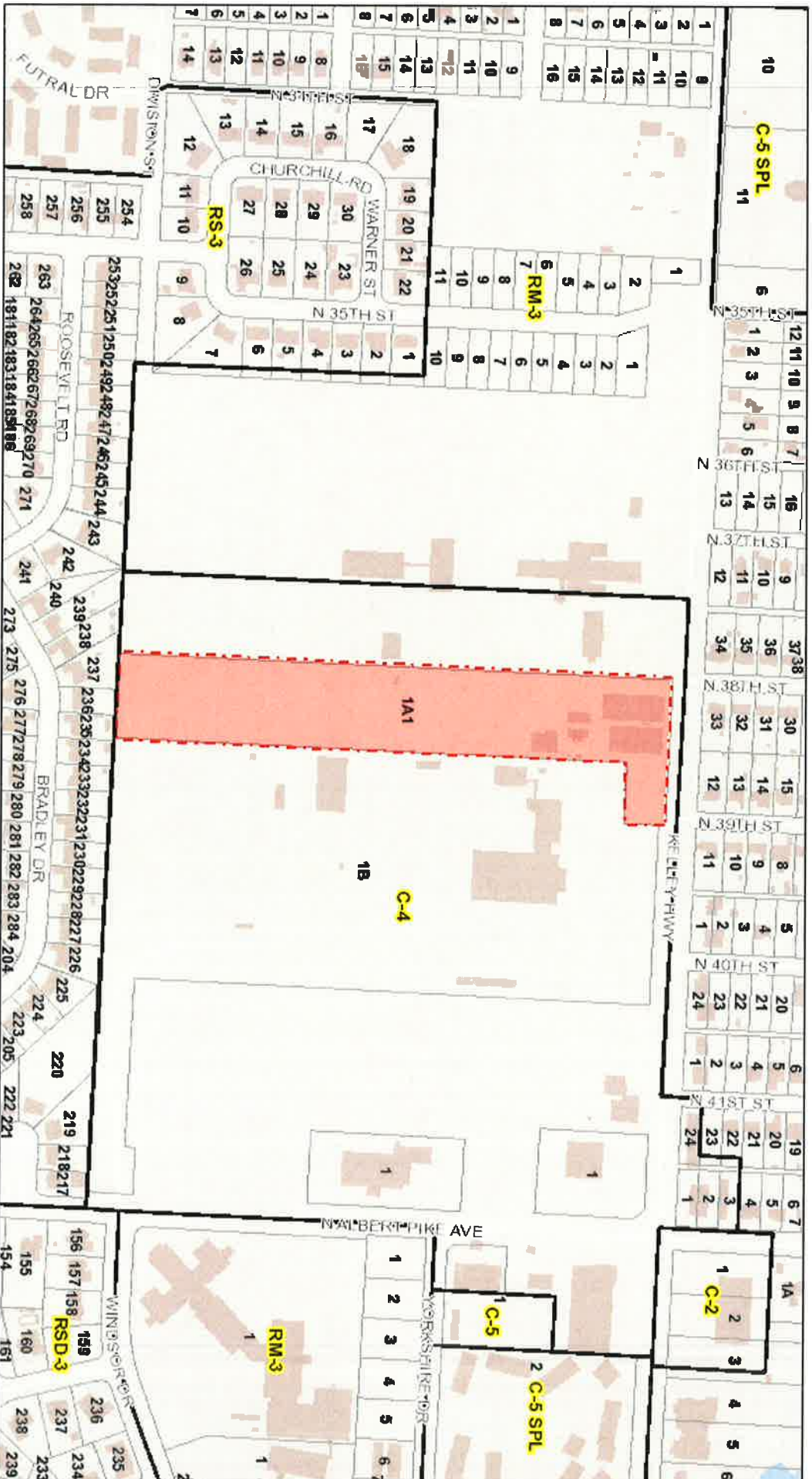
2. Describe how the strict enforcement of the zoning code causes an undue hardship for your project:

Strict enforcement of the zoning code will require this new building to look different from all the other accessory buildings on this lot.

3. List any special circumstances/conditions which exist that have not been created by the owner/applicant and do not apply to other properties in your area:

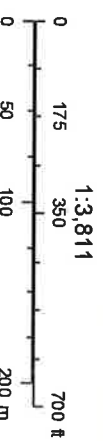
Variance #14-5-17: From UDO, Section 27-602-4(C)2 - 51% high quality materials 3800 Kelley Highway

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April 19, 2017

- ☐ Fort Smith City Limits
- ☐ Zoning
- ☐ Subdivisions
- ☐ Building Footprints
- ☐ Parks



3800 Kelley Highway

Legend

Church

City of Fort Smith

Google earth

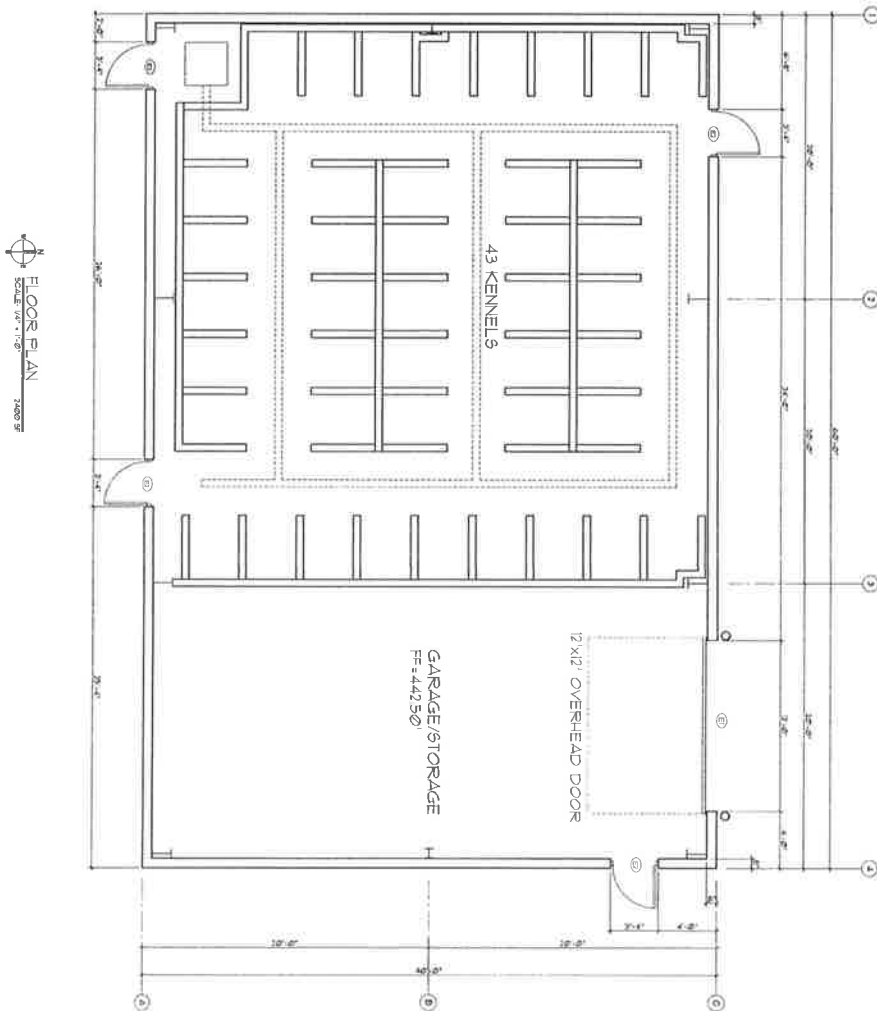
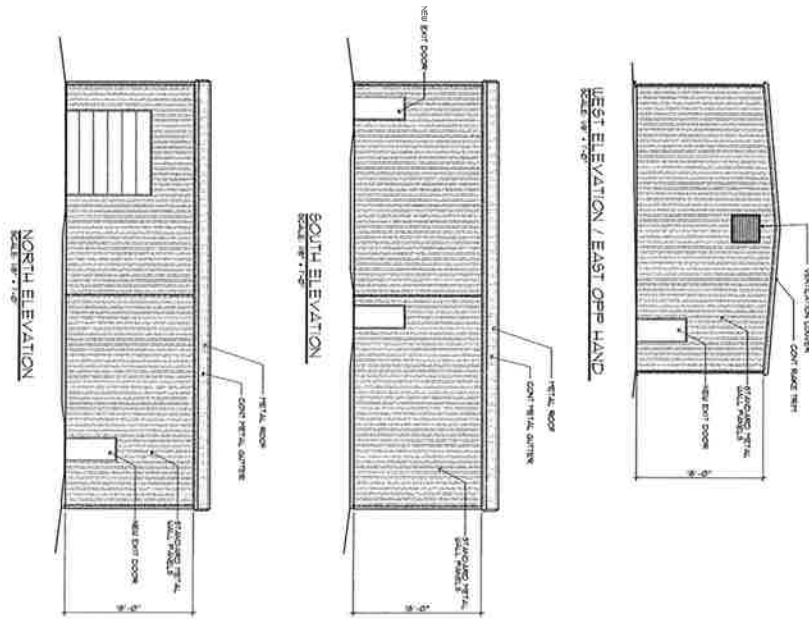
Residential

© 2016 Google

600 ft







FLOOR PLAN
SCALE: 1/8" = 1'-0"
1/8" = 9"

NOT FOR CONSTRUCTION

REVIEW

DATE	BY	REVIEWED	DATE
12/12/11	ALB		
A2			

DATE	BY	REVIEWED	DATE

A NEW BUILDING FOR:	
SEB. CO. HUMANE SOCIETY	
3800 KELLEY HWY.	FORT SMITH, AR

P. JEFFERY LEE, AIA
3409 Village Rd., Fort Smith, AR 72903
ph: 479.452.9226
fax: 479.484.0312
e-mail: FJLeeArchitect@aol.com

P. LEE	JEFFERY
ARCHITECTURE	

13K